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The Irish Ecclesiastical Record

A Monthly Journal under Episcopal Sanction

VOLUME XXXIII

JANUARY to JUNE, 1929

FIFTH SERIES

DUBLIN

BROWNE AND NOLAN, LIMITED, NASSAU STREET

1929

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DUBLIN, die 27^o Maii, 1929.

CONTENTS OF VOLUME XXXIII

ARTICLES

	PAGE
Bishops : Catholic, Protestant, and 'Anglo-Catholic,' in Shakespeare's 'Henry VIII'	271
By Professor W. F. P. Stockley.	
Book of O'Donnell's Daughter, The	561
By Rev. Paul Walsh, M.A.	
Calendar of Oengus, The Imagery in the	53
By Rev. G. O'Nolan, M.A., D.Litt.	
Can Our Lady's Mediation be Defined ?	462
By Rev. James A. Cleary, C.S.S.R., M.A.	
Catechism, How to Teach the	358
By P. Ivers Rigney.	
Catholic Emancipation and its Causes	1
By Rev. J. F. O'Doherty, D.D.	
Catholic Emancipation, A Pioneer of : John Keogh	158
By Patrick L. O'Madden.	
Charles O'Connor of Bellanagar	385
By Patrick L. O'Madden.	
Church and State : The 'Unam Sanctam' of Boniface VIII	225
By Rev. R. Hull, S.J.	
Clement VII and the Sack of Rome	500
By Rev. John Johnson.	
'Defensor Pacis,' The	593
By Rev. R. Hull, S.J.	
Divine Office, Attention at the	257
By Rev. David Barry.	
Freemasonry, The Jewish Element in	37
By Rev. E. Cahill, S.J.	
Freemasonry : Masonic Aims and Methods	133
By Rev. E. Cahill, S.J.	
Indian Life and Religions, Sketches in	246, 373
By Rev. Thomas F. Maenamara, S.S.J.	
Ireland and Her poor dear Sydney Smith	511
By Professor W. F. P. Stockley.	
Is the Mass Infallible in its Effects ?	190
By Rev. David Barry.	
John Ogilvie, Considerations on the Trial of	347, 491, 615
By Rev. W. E. Brown, M.A.	

	PAGE
Higher Ecclesiastical Studies, The Motu Proprio 'Quod Maxime' and	12
By Rev. J. E. Canavan, S.J.	
Monastery of Mar Saba and to Deir ed Doseh, A Ride to the	144
By Rev. P. P. McKenna, O.P.	
O'Connell Defending Maynooth	605
By Rev. E. J. Quigley.	
Papers: Wise and Otherwise	177
By 'Petra.'	
Spiritism, Some Moral Questions Concerning	113
By Rev. M. J. Browne, D.D., D.C.L.	
States of the Church, The	449, 576
By Rev. J. F. O'Doherty, D.D.	
Temporal Power or Power in Temporals—Which? or Both?	337
By Rev. R. Hull, S.J.	
Thomas Hardy, The Orthodoxy of	237
By Rev. James O'Rourke.	
What is It All About?	25
By Professor W. F. P. Stockley.	

CONTRIBUTORS

BARRY, REV. DAVID.—Is the Mass Infallible in its Effects?	190
— — — Attention at the Divine Office	257
BROWN, REV. W. E., M.A.—Considerations on the Trial of John Ogilvie	347, 491, 615
BROWNE, REV. M. J., D.D., D.C.L.—Some Moral Questions Concerning Spiritism	113
CAHILL, REV. E., S.J.—Freemasonry: The Jewish Element in Freemasonry	37
— — — Freemasonry: Masonic Aims and Methods	133
CANAVAN, REV. J. E., S.J.—The Motu Proprio 'Quod Maxime' and Higher Ecclesiastical Studies	12
CLEARY, REV. JAMES, C.S.S.R., M.A.—Can Our Lady's Mediation be Defined?	462
EATON, REV. M., B.D., B.C.L.—Liturgy	72, 302, 412, 532, 634
HULL, REV. R., S.J.—Church and State: The 'Unam Sanctam' of Boniface VIII	225
— — — Temporal Power or Power in Temporals—Which or Both?	337
— — — The 'Defensor Pacis'	593
JOHNSON, REV. JOHN.—Clement VII and the Sack of Rome	500
KINANE, REV. J., D.C.L.—Canon Law	65, 289, 403, 526, 626
McKENNA, REV. P. P., O.P.—A Ride to the Monastery of Mar Saba and to Deir ed Doseh	144
MACNAMARA, REV. THOMAS F., S.S.J.—Sketches in Indian Life and Religions	246, 373

O'DOHERTY, REV. J. F., D.D.—Catholic Emancipation and Its Causes 1
 ——— The States of the Church 449, 576
 O'MADDEN, PATRICK L.—A Pioneer of Catholic Emancipation: John Keogh 158
 ——— Charles O'Connor of Bellanagar 385
 O'NEILL, REV. P., D.D., D.C.L.—Theology 61, 286, 401, 521, 621
 O'NOLAN, REV. G., M.A., D.Litt.—The Imagery in the Calendar of Oengus 53
 O'ROURKE, REV. JAMES.—The Orthodoxy of Thomas Hardy 237
 'PETRA'—Papers Wise and Otherwise 177
 QUIGLEY, REV. E. J.—O'Connell Defending Maynooth 605
 RIGNEY, P. IVERS.—How to Teach the Catechism 358
 STOCKLEY, PROF. W. F. P.—What is It all About? 25
 ——— Bishops: Catholic, Protestant, and Anglo-Catholic, in Shakespeare's 'Henry VIII' 271
 ——— Ireland and Her poor dear Sydney Smith 511
 WALSH, REV. PAUL, M.A.—The Book of O'Donnell's Daughter 561

NOTES AND QUERIES

Theology :

By REV. PROFESSOR P. O'NEILL, D.D., D.C.L.

Baptism, Notification of 286
 'Celebret,' A Diocesan Law and the Necessity of Presenting a 624
 Commission for the Interpretation of the Code, Decisions of the 524
 Communion of Non-Fasting Invalids 521
 Discharge of Penance by Another 288
 Dispensation, Cause required for 288
 'Heroic Act,' The Meaning of a 63
 Indulgenced Rosaries 62
 Judges at Agricultural Shows, Obligations of 401, 621
 Mixed Marriage without the prescribed Guarantees, Validation of a 522
 'Restitution'—An Excusing Cause 625
 Sin recently Reserved 'rationi sui' to the Holy See, A 287
 Theology of Insurance, Payment of Taxes, Old Age Pensions 402
 Time of Day at which Marriage may be Celebrated, The 61

Canon Law :

By REV. PROFESSOR J. KINANE, D.C.L.

Attendance at Amateur Theatricals and Shakespearean Plays in Public Halls and Provincial Theatres 409, 528
 Attendance at Theatres, The Westminster Statute regarding 632
 Cinematograph Displays in Churches 408
 Crime, Co-operators and the 'ipso facto' Punishments decreed against 68
 Communion to the Sick: May a Priest bring, without the Parish Priest's permission? 529
 Diocesan Statute, Validity of a certain 65, 406

Canon Law—*continued.*

	PAGE
Epilepsy, Irregularity arising from	70
Foundation Mass, Deductions from the Stipend of a	527
Jubilee, The	289
— Some Queries regarding the	403
Manual Masses, The Time within which, must be Celebrated	626
'Ordinarius,' The Meaning of, in connexion with Administrative Removal and Suspension 'ex informata conscientia'	631
Parochial Revenue, The Division of, between Parish Priests and Curates	530
Personal Privileged Altar granted to Priests by the Constitution 'Auspicantibus Nobis,' Doubts regarding the	526
Promotion of Dances by the Clergy, A Decree of the Holy See on the Organization and	629
Property belonging to Laymen, a Priest forbidden to Undertake the Administration of, without the permission of his Ordinary	67
Religious Institutes, Admission of Converts to	70

Liturgy :

By REV. M. EATON, B.D., B.C.L.

Banners in Procession of the Blessed Sacrament	532
Bell at Mass of Reposition	532
Bination on Palm Sunday and the Omission of the Reading of the Passion	72
Candles of Acolytes at Solemn Requiem Mass	532
Carrying Blessed Sacrament in Lunette for Benediction	535
Communion of the Sick 'intra Missam and extra Missam,' Queries regarding	302
Corpus Christi Procession	534
Feast of the Most Sacred Heart of Jesus and its Octavo, The	634
Holy Communion, Use of the Cross Stole in Administering	73
— — — Distribution of, while Mass is being celebrated	304
— — — to the Sick, Prayers before and after Administering	536
Holy Hour, Procession of the Blessed Sacrament as Part of the Devotion to the	73
Holy Oils, Delay in Procuring the	305
Minor Sunday, Precedence of a Feast of Dedication to a	73
Privileged Requiem Mass and the Extent of the Privilege, A	304
'Regina Coeli'	534
Some recent Roman Documents	412

CORRESPONDENCE

'The Origin of the Rosary'	76, 205, 415
The Medium, 'Home'	306

DOCUMENTS

Abbatial Chapter, Erection of an	99
Allocution of the Holy Father at the recent Consistory	312
Announcement of Treaty in 'Acta Apostolicæ Sedis'	548

Annual Convention at Fulda, Apostolic Letter to the Cardinals, Archbishops, and Bishops of Germany on the occasion of their	86
Apostolic Constitution on the Liturgy, Gregorian Chant and Sacred Music	421
Benedictine Monastery of Neuburg restored to Abbatial Grade	548
Benedictine House at Oosterhout raised to an Abbey under the Title of St. Paul	662
'Bulla Cruciatâ,' Apostolic Letter to Alphonso XIII, King of Spain, regarding the	428
Canons of the Code, Replies of Pontifical Commission on	638
Canons Regular of St. Augustine, Apostolic Letter confirming the Constitutions of the	101
Catholic Action, Apostolic Letter to Cardinal Bertram concerning the Fundamental Principles of	212
Catholic University of Washington, U.S.A., Apostolic Letter to Cardinal O'Connell, Cardinal Dougherty, Cardinal Mundelein, Cardinal Hayes, the Archbishops and Bishops of the United States, on the	94
Communion of the Sick in a Hospital where the Patients occupy distinct rooms	426
Constitution 'Auspiciantibus Nobis,' Reply of Sacred Penitentiary to Query concerning Privileges granted in the	639
Convention at Frisinga, Apostolic Letter to the Hierarchy of Bavaria on the Occasion of the	87
Diplomatic Corps, Address of His Holiness to the	652
Eastern Church, Decree of the Congregation for the, regarding the requisite Permission to pass from one Rite to another	322
Ecclesiastical Property decided by the Sacred Congregation of the Council, a Question of Heirship to	92
Feast of the Most Sacred Heart of Jesus, New Mass and Office for the Francis A. Picciano, O.F.M., Cause of Beatification and Canonization of, Introduced	537
Greco-Ruthenian Rite in the United States of America, Decree concerning Spiritual Administration in regard to the Faithful of the	645
Indulgences Prayers and Works, Approbation of a Collection of	655
Irmengard, an Abbess of the Benedictine Order, Confirmation of the Immemorial Cult of the Servant of God	549
John Tarlowsky, a Russian, who claims to be a Catholic Priest, Warning of a Pontifical Commission against the pretensions of a certain 'L'Action Française,' Decree concerning Absolution of Adherents to Letter to His Eminence Cardinal Bisleti, Prefect of the Congregation of Studies, on the occasion of the Golden Jubilee of his Priesthood	314
Milan University, Discourse to the Staff and Students of the	98
Oblate Missionaries of Mary Immaculate, Apostolic Approval of the Constitutions of the	83
Ordinariate for Russian Immigrants into China erected at Harbin, An Parish Priests of Rome and the Lenten Preachers, Discourse to the	323
Recitation of the Rosary in Presence of the Blessed Sacrament, Apostolic Letter granting a Plenary Indulgence for	639
Residence in a particular Place, decree of the Sacred Congregation of the Council regarding a Question of Compensation of Ecclesiastics on account of	97
	314

	PAGE
Rotary Clubs, The Sacred Consistorial Congregation replies to a Query regarding the Membership of Clerics in	427
Sacred Ordination, Decree of the Congregation of the Discipline of the Sacraments regarding the Spiritual Exercises prescribed before	89
Spanish Congress of Sacred Music, Apostolic Letter to Cardinal Segura y Saenz, Archbishop of Toledo, concerning the approaching	215
Universal Jubilee for the Year 1929, Proclamation of a	308
Ven. John Bosco, Beatification and Canonization of	664
Ven. Teresa Margarita Redi, Beatification and Canonization of	666

REVIEWS AND NOTES

'After Fifty Years,' 328; 'A Hundred Years of Catholic Emancipation,' 552; 'Anfänge der neueren Dominikanermissionen in China, Die,' 446; 'Birth-Control and Eugenics,' 216; 'Capuchins, The,' 105; 'Catholic Emancipation, 1829 to 1929,' 552; 'Catalogue of Novels and Tales by Catholic Writers,' 671; 'Compendium of Catholic Instruction, A,' 435; 'Daniel O'Connell and the Story of Catholic Emancipation,' 668; 'Ἐάντα Ἄέ,' 437; 'Dawn of Catholicism in Australia, The,' 553; 'De la Volonté,' 329; 'De Virtute Castitatis et De Vitiis Oppositis,' 326; 'Dictionnaire de la Bible,' 218; 'Elizabethan Persecutions, The,' 111; 'Durandus de S. Porciano, O.P.,' 558; 'Essay on Catholicism, Authority, and Order, An,' 331; 'Essays in Satire,' 333; 'Handbook of Heresies,' 111; 'History of the Archdiocese of Tuam,' 325; 'History of the Popes, The,' 335; 'How to Serve Mass,' 109; 'Jesuits in Modern Times, The,' 109; 'Johannes Sinnich—Der Kampf der Löwener Universität gegen den Laxismus,' 669; 'Last Supper and Calvary,' 445; 'Le Code de Droit Canonique,' 217; 'L'Idée du Sacrifice de la Messe d'après les Theologiens depuis l'Origine jusqu'à nos Jours,' 438; 'Life of Cardinal Mercier,' 554; 'Life of the Servant of God Pius X, The,' 330; 'Life of the Venerable Joseph Passerat, C.S.S.R.,' 219; 'Our Father's House,' 444; Ὁριόρῳρ ἰ ἔColou—Ἐπάμα το Σοφοιτέαρ, 446; 'Pour Étudier le Code de droit canonique,' 444; 'Preacher's Library, The,' 327; 'Psalterium ex Hebraeo Latinum,' 219; 'St. Francis Xavier,' 222; 'Stories from Polish History,' 557; 'Struggle for Catholic Emancipation (1750 to 1829), The,' 104; 'Summa S. Thomae,' 559; 'Thoughts on Religion,' 222; 'Triumph of Life, or Science and the Soul, The,' 107; Books, etc., Received, 112, 224, 336, 447, 559, 671.

THE IRISH ECCLESIASTICAL RECORD

CATHOLIC EMANCIPATION AND ITS CAUSES

BY REV. J. F. O'DOHERTY, D.D.

A SOCIAL theory can be killed by the social organism on which it seeks to engraft itself, and feed there to the destruction of the whole: and if it be not slain, it will die by its own success, because it is false. A religion, however, or a religious disorder may die of malnutrition, or—if it is false—of no nutrition at all; but it cannot be killed by persecution, because ‘the blood of martyrs is the seed of believers.’ The Albigenian cancer¹ could be excised by the State which it threatened; if not eradicated, it would have eaten its way until all was corrupt. Calvinism, on the other hand, was a religious doctrine: and all the strength of France, and all the particular strength of Louis the Fourteenth could not disprove the wisdom of the tolerance of Henry the Fourth, nor escape the renewal of the Edict of Nantes. They might have known, anyway, that the Catholic religion, at least, could not be slain by persecution. The Roman Empire had tried, for three hundred years, to kill it, and the Peace of Constantine had to come. They might have known that the faith of the Irish Church was particularly hard to kill. Elizabeth had essayed the task, and in vain. Yet, the task was reassumed, and our people felt again the heavy hand of the persecutor, when William forgot what

¹ The Phrase is Mr. H. Belloc's.

he had promised at Limerick, and Anne that William had failed. We might almost thank them, these plotters against our race and nation, we who pray that Ireland may keep her faith in this faithless generation; for the sons of men who heard their Masses on the bleak mountain-sides will be slow to abandon what their fathers held dearer than life, and every trial then endured is a bond to bind us to-day to the faith of our fathers, and a powerful prayer to God to give us the grace to prefer before the wisdom of the world, in its ever-changing, always glamorous dress, the sublime but rigid truth of the Gospel of Christ.

The long centuries of persecution through which our forefathers lived availed to kill in them almost everything save the one thing, their faith, the destruction of which was the primary aim of the persecutor. By the middle of the eighteenth century the Catholic peasant did not so much live as exist. Gone were wealth and land and comfort and the peace of the home fireside; gone, too, was the enthusiasm for industrious labour that makes work a source of joy—gone, to be replaced by a despairing effort to sweat enough to keep body and soul together. The heart was gone out of them, those persecuted peasants, and many there were who, if they had not grown content to wear their chains, had at least grown listless; never daring to think of shaking off the bonds that bound them; disapproving, even, when a bolder spirit talked of resistance; fearing always that worse might come, that worse would come if the worm showed a disposition to turn. ‘It was a peasantry forced down to the last verge of destitution and degradation—dispossessed, proscribed, hunted off the fertile lands to give place to sheep and cattle, forbidden to improve their lands, exploited by the merciless agents of absentee landlords.’¹

But there were compensations. There is some soul of goodness in things evil. If there was left nothing on this earth in which the Irish Catholic could centre his affections,

¹ Gwynn, *The Struggle for Catholic Emancipation*, page 8.

that was all the more reason why he should centre them in the *civitas Dei* in which at last he would recover his citizen's rights; and the Irishman learnt that love for his Catholic religion which is our best guarantee that his descendants will continue in their loyalty to the faith. 'Ipsi enim fortitudine et constantia summa quoslibet perferre casus, quam avitam religionem deserere, aut ab antiqua fide erga hanc Apostolicam Sedem vel minimum discedere maluerunt.'¹ There were other results of that period of suffering; but we shall pass over the remark of Cardinal Manning, that 'in the Vatican Council no Saint had so many mitred sons as St. Patrick,' and go on to refer explicitly to one result, because of its close connexion with the struggle for emancipation.

It was the Nemesis of the persecuting fury loosed on our country, and, in particular, of the Penal Code, that it gave Ireland a renewal of her close contacts with the continental countries to which, ages before, she had brought the faith, when Columbanus went to Luxeuil and Bobbio, when Virgil and Kilian and many others earned the gratitude of the stranger. Already, in the seventeenth century, colleges had been founded in France and Spain to give to Irish candidates for the priesthood the education which they could not get at home. The Penal Code served to increase these continental contacts. The laws which prevented Catholics from putting their money in land, by the mere inevitability of economic law, made them put their money in trade; while the laws against native Catholic education succeeded because the people were able to evade the complementary law which sought to close the avenue to education abroad. There resulted in Ireland a wealthy merchant class among the Catholics, who to their wealth soon added the education which they got by stealth in the countries where their trade had already given them easy access. And the father of the first to take up his pen, as he was also the first to attempt organization for the purpose of securing Catholic relief, was a landed proprietor who, when his lands were

¹ Leo XIII to Cardinal MacCabe, January, 1881.

gone, became a merchant trading with the continent, and had his son, John Curry, educated at Paris, and graduated a doctor at Rheims.

* * * * *

So from that spring whence comfort seemed to come
Discomfort swells.

The persecutor could well suppose that the legal extinction of Catholic education in Ireland was his best guarantee that the proscribed religion could not long survive. Yet, he was now to learn that the closing of the doors to learning in Ireland only served to open the doors to liberty in the next generation. Priest and layman must now exile themselves to find the education for their chosen way of life; and the education that one could get abroad in those days was no friend of oppression. One did not even need to read books in eighteenth-century France to drink in the lesson of tolerance, or the thoughts of liberty; for history was happening there, and that century was preparing for the Revolution. To be sure, ecclesiastical conservatism would temper the lesson for the student within the walls of the Catholic seminary; and the future Irish priest and Irish Bishop, if he learnt to hate oppression, learned also to restrain his sensitive nature from its vehement protest, and was moulded in a spirit of submissiveness to the civil arm.¹ The lay student who had come from Ireland was more open to the impressions which the thought and action of the time tended to make in a mind that could understand them. The same eighteenth century which, at its beginning, saw the death of Louis Quatorze, most absolute of monarchs, saw also the birth of Jean-Jacques Rousseau, who 'realized the unshapen revolutionary ideas that were coursing through the minds of the masses, and better than any of his fellows assisted to give them expression.'²

In a recent work of his,³ M. Jacques Maritain uses a nice

¹ MacCaffrey's *History of the Catholic Church in the Nineteenth Century*, vol. ii, p. 103.

² *Op. cit.*, vol. i., p. 8.

³ *Three Reformers*. (Shood and Ward.)

distinction between the individual and the person to indicate the true position of the State relative to both.

Each individual person, taken as an individual member of the city, exists for his city, and ought, at need, to sacrifice his life for it. But taken as a person, whose destiny is God, the city exists for him. . . . If the earthly and temporal perfection of the rational animal has its realization in the city, in itself better than the individual, yet the city is essentially bound to ensure that its members have the conditions of a sound moral life, a properly human life, and bound to pursue the temporal good which is its immediate object only with respect for its essential subordination to the spiritual and eternal good to which every human person is ordained.

We do not say that it was this social philosophy of St. Thomas that prompted the men and movements that produced the Revolution. But we do say that it is the philosophy which gives its truest justification to that revolution, in so far forth as the revolution can be justified at all, in so far, that is, as the revolution is independent of the methods by which it was effected. It is the philosophy, also, which a loyal Catholic mind might be supposed to substitute for the current views, in justification for the growing mass of revolutionary thought; and, without accepting the philosophy of Jean-Jacques, the Irish exiled medical student could admire and, without prejudice to his Catholic faith, defend the fruit of that false philosophy. And if it was the duty of the State of France to 'ensure that its members have the conditions of a sound moral life, a properly human life,' why should not that be the duty also of the exile's native State of Ireland? Thoughts like this were ready to come to the Irish student in France; and they came all the more readily when the similarity between the case in France and the case in Ireland was emphasized in the history of the Calvinist body in France. When stern facts dictated tolerance for the French Calvinists where the theory had been government by repression; when force failed to crush, and only recognition and toleration could win the Calvinist, a lesson was indicated that was applicable to Ireland. And the lesson gained force from the consideration

that the French Calvinists were a hopeless minority, while Irish Catholics were an overwhelming majority.

There resulted in Ireland a feeling that it was time for things to change. The ecclesiastical superiors, to be sure, longed for their own liberty and that of their cure. Yet were they afraid that by seeking more they might succeed only in retaining less. As they saw the position, they would have to risk the loss of the very limited freedom from interference which they had in their work for the eternal interests of their people, if they were to participate in an effort to secure amelioration of the temporal condition of the population, with the hope of which was ever associated a fear of the renewal of the worst severity of persecution, which was equally likely to result. We should not blame them for their lack of enthusiasm in the movement inaugurated to secure Catholic relief; at the time, it was next to impossible to say that their fears were not well-grounded, and, in those circumstances, their fear was the expression of prudence. Among the laity, however, there was a different temper; the determination was to strive, with all due circumspection, to right the wrongs of the Irish Catholic, and reform the State to its true function of 'ensuring that its members have the conditions of a sound moral life, a properly human life.' Later, when the reform in France became the Revolution, there were some in Ireland who would have our country follow the same road. These, also, like the ecclesiastical superiors, are not to be blamed; for, at their day, it did appear that no way was left to reform the Parliament in Dublin, and revolution seemed the only course worth following; and it was given only to subsequent days to learn that the revolutionaries were playing into the hands of the English plotters of the Act of Union. But others in Ireland could understand the meaning of the French Revolution without imitating its methods; they could learn the power of a people to right what is wrong, and to end oppression; they could adapt that lesson to Irish conditions, and by harnessing the force of a people's will bring Wellington and Peel

to terms, and drag the unwilling hand of George the Fourth to sign the Act of 1829,

* * * * *

No joy so great but runneth to an end,
No hap so hard but may in time amend.

The spectacle of a people, so crushed in body and spirit as our people were, conceiving hope, and after a long travail bringing forth liberty, must move the reflecting reader to admiration if not even to enthusiasm. Many years had to pass from the day when John Curry met the intolerant young maiden in the Castle Yard, and wrote *The State of the Catholics in Ireland*, and issued the circular letter which led to the formation of the first Catholic Committee, before Daniel O'Connell could smile triumphantly at a royal levee in the English capital. The story is one of humble addresses presented to the persecutors for relief; of renewed refusals by the persecutors to grant the slightest relief, yet granting it in niggardly doles when it was no longer possible completely to refuse; of great hopes and great disappointments in the hearts of the people; of committees and associations; of strength divided yet ever increasing; of meetings resumed again, and growing into demonstrations; of elections, finally, when the Beresfords were shocked to be beaten at Waterford, and Vesey Fitzgerald to be beaten in Clare. Every act of the drama is admirable. If some would profess to despise the self-effacement of the earliest petitions, and find no word of praise for anything but the deeds of Ninety-eight, they are wanting in their appreciation of historical conditions (and Ninety-eight is not an isolated event out of dependence on what went before); more than that, they are forgetting that the insurrection was a failure, and that success came to the inheritors and improvers of the plan of agitation first tried by Curry, O'Connor, and Wyse.

You who read know the story well. Yet, let us rehearse it as a study in patience and perseverance. From meetings of individuals—the members of the Catholic Association—

in private houses came, in 1759, the address to the Speaker of the House of Commons, testifying to the loyalty of the men by whom it was signed, which had for reward the assurance of the Lord Lieutenant that loyal citizens would ever have His Majesty's protection ! The first result of this initial success was a split in the Catholic ranks, when the Catholic aristocracy, who had opposed the move of the Catholic merchants, because they feared that to draw attention to the existence of a Catholic body was to invite a recrudescence of active repression, now allowed their jealousy to cut them off from association with the new Catholic leaders. The second result was a freer field for concerted action amongst the Catholics, whose existence was once more acknowledged, and whose loyalty was no longer looked on as incompatible with their profession of the Catholic religion. This greater freedom was, with commendable prudence, used at once for nothing more than the preparation of an address to George III on his accession in 1760. When this, too, was graciously accepted, it was thought that now at last had come the time to seek for relief ; but the attempt to bring their grievances under the notice of the King had no more useful result than to increase the split in the Catholic body so seriously as completely to destroy the Catholic Association. It was left to economic forces to obtain for Irish Catholics the first fruits of relief, which the disruption of their unity had threatened to postpone. The Protestant landlords began to conceive a desire that Catholics should be once more admitted to the right of leasing land even if the right was to extend only to bad land, and of lending them money on mortgages on land. The financial difficulties of the landed aristocracy thus gave grounds for hope of success when the second Catholic Association was formed in 1773 ; and that hope was increased by the happenings in America, which inspired the Catholic leaders with the idea that the time was come to use the opportunity for advancing beyond the miserable, though important concessions of the Act of 1771, allowing Catholics to lease bog-land, and of the Act of 1774, allowing them to

attest their loyalty to the crown. The Kenmare Catholic Committee drew up an extensive and boldly-worded statement of the grievances of the Catholic population ; and in the Irish Parliament, the advocacy of Grattan and Flood secured the passage of the Gardiner Relief Act of 1778, which, while it did not go as far as the measure passed for English Catholics in the same year, did yet make a huge advance in the Irish Catholic position and was a greater triumph than the English Act, in this at least, that it was forced from the reluctant ascendancy class who owned the Dublin Parliament. Catholics had now got the right to lease land for 999 years, and this time there was no question of their leases being of land which was almost exclusively ' bog-land in which the bog was at least four feet deep ' ! The law by which a man's land was to descend to all his sons—share and share alike—was repealed, as was also the proviso that anyone of the sons could secure the whole of the estate for himself by going over to Protestantism. If the whole purpose of the Penal Code was to attack the property rather than the religion of the Catholic population in Ireland, the Penal Code died in 1778 ; and the slowness of the succeeding process by which complete emancipation was achieved, must be put down on the one hand to the bigotry of the Protestant leaders in Ireland, and perhaps, on the other hand, to the divided aims and divergent policies of the Catholic body itself.

The American War of Independence, and the alliance between France and America, produced the Irish Volunteers. The Irish Volunteers produced the Declaration of Independence of 1782. The Declaration of Independence, and the repeal of the Sixth of George I, entrenched the Protestant body more firmly than ever in their citadel in Dublin, and made them more impervious to the softening influences which, in England, brought, ' in 1791, the virtual repeal of the Penal Code.' Though the Dungannon Convention almost unanimously approved the extension of the principle of religious liberty to the Catholics, still the independent Parliament was loathe to grant the legal

concessions which would make that resolution effective. It was at this juncture that the Dublin merchant, Keogh, displacing Lord Kenmare, assumed the leadership of the Catholic body, and set to work to build up a strong Catholic organization. His first efforts were doomed to failure, because of the engagement of Richard Burke, the son of Edmund Burke, as secretary of the association. But when Wolfe Tone replaced Burke, he brought such energy to his task that success could not be much longer delayed. Regarding as no longer sufficient concession to the increasing strength of the Catholic body, the relief obtained by the Acts sponsored, in January, 1792, by Sir Hercules Langrishe, Wolfe Tone, now assistant secretary of the Catholic Committee, under the leadership of Keogh, organized the country in accordance with the plan formulated by Myles Keon of Leitrim, and prepared the way for the meeting of the great Catholic Convention in December. After a session full of dramatic interest, which makes us pause to ask are these the representatives of the people who were 'forced down to the last verge of destitution and degradation,' delegates were sent directly to the King himself, thus ignoring, contemptuously, the stubborn rulers in Dublin, to demand total emancipation; and the result was the Catholic Relief Act of 1793, of which Wolfe Tone wrote that 'by one comprehensive clause, all penalties, forfeitures, disabilities, and incapacities are removed.'

Alas! for the hopes of the Irish Catholic! His battle was won, yet must he start the whole fight again. The law recognized his 'restoration to the equal enjoyment of the blessings of the constitution,' but the ascendancy could still withhold in practice what the law allowed in theory; and the Catholic must learn now that bigotry is a more powerful enemy than the law itself. The action of the Irish ascendancy in thus snatching the prize of liberty from those who by their long struggle had at length won it, their efforts to keep Catholics from the enjoyment of their newly-acquired privileges; and their seeming impregnable; must be reckoned as contributing effectually towards

the general tendency to follow Wolfe Tone when he now headed towards the revolution, which he had long since desired ; and towards the acceptance of the Union when the revolution failed to achieve its object ; while the acceptance of the Union, by making the Irish Catholics a minority in the new administrative unit, instead of a great majority, such as they had been so long as the Irish Parliament sat in Dublin, postponed the final triumph of Catholicism until 1829, in which year was passed the measure for which we thank Daniel O'Connell, and this year honour his memory in celebration of the first centenary of Emancipation.

J. F. O'DOHERTY.

THE MOTU PROPRIO 'QUOD MAXIME' AND HIGHER ECCLESIASTICAL STUDIES

BY REV. J. E. CANAVAN, S.J.

THE English translation given below of the recent *Motu Proprio*, 'Quod Maxime,' is taken, by the kind permission of the Editor, from the *Tablet*, November 3, 1928:—

PIUS PP. XI.—MOTU PROPRIO.

ON THE ASSOCIATION OF THE PONTIFICAL INSTITUTES FOR BIBLICAL AND ORIENTAL STUDIES WITH THE GREGORIAN UNIVERSITY.

It is with great joy and gladness that we now see brought almost to its full realization a project that has been particularly dear to our heart and which we have never ceased to foster with a parent's watchful interest and care. We refer to the completion of the new buildings which in our Letter 'Ea Inter' of the fifth day of May, 1924, we insisted should be built for the use of the Gregorian University. Indeed the construction of this residence appeared to us to be an affair of such importance that we commemorated the laying of the foundation-stone on the golden medal of that year.

It was certainly appropriate, as we made quite clear in our letter, that this University, to which, through its long record of four centuries, ecclesiastical students from almost every corner of the world have flocked in increasing numbers, should have a material setting that would reflect more fittingly the dignity and high import of its office, and be at once more adequate to the number of its students and the increased diversity of its instruction, and better furnished with the equipment that these studies demand. Further, our interest in the growth of this Academy has been manifest, not only in our anxiety to secure for it a worthy abode, but also in our wish, as in the wish of our predecessors, so to complete it in every department that, fully equipped and thoroughly adapted to the special needs of this age, it should be, for every class of ecclesiastical study, in the fullest sense of the word, a true University.

In accordance with this desire, then, we have, after long and mature consideration, deemed it appropriate that the two Institutes of Biblical and Oriental Studies be connected with the Gregorian University, by a closer and more intimate bond. And in this, the very course of events, guided, it is true, by the efforts of our predecessors, has enabled us to

attain to the happy fulfilment of our cherished idea ; we cannot fail to recognize the hand of Providence in the enrichment of this city with a pontifical University, which is not unworthy of our patronage, and fulfils in every way the expectation of the Apostolic See.

Those responsible for the direction of the Gregorian University had already recognized the importance of both Biblical and Oriental studies, especially in this our age, and at the same time understood the dangers that may be involved in such pursuits ; they realized immediately that these modern needs were not adequately provided for in the ordinary course of exegesis and introduction to Sacred Scripture, and in the schools of Eastern languages. Consequently, as long ago as 1908, with the approval of our predecessor, Pius X, they introduced a higher school of Sacred Scripture, that was intended to prepare the way for the formation of a new Faculty. The experiment proved, however, to cover so extensive a field and to involve so many additions to the teaching staff and facilities for study, if these subjects were to be adequately developed and yet remain immune from the taint of rationalistic methods, which are the source of many dangers to the faith, that our predecessors decided upon the foundation of a special Institute, to be placed under their particular ward and vigilance. Their intention was 'that there should be in Rome a centre of higher Scriptural Studies,'¹ in which picked scholars from seminaries throughout the world should receive a course of instruction, in order that subsequently, "with the guarantee of mature and sound learning,"² they might be able to interpret the Sacred Books without danger of ignorance or error.

This project, which Leo XIII had long entertained but was never permitted to bring to a conclusion, was realized by Pius X in the Apostolic Letter '*Vinea Electa*,' of the seventh of May, 1909. In it the Pope inaugurated in this city the Pontifical Biblical Institute, presenting it with a suitable building for its accommodation, and giving it, in his foresight, a provisional Constitution, which 'was to be changed and improved, according as the conditions of the time should demand, and actual experience might dictate or suggest.'³

Considerations of a similar kind exerted their influence upon our immediate predecessor, Benedict XV. Considering, as he did, the present needs of the Church and the peoples, and burning with desire to hasten, if he might, the advent of that day when there should be but 'one fold and one shepherd,' and with the particular purpose of leading back the Eastern Nations to the unity of the Church, he decreed in the *Motu Proprio* '*Orientalis Catholici*' of the fifteenth of October, 1917, that a Pontifical Oriental Institute should be founded in this city. In our Apostolic Letter '*Decessor Noster*' of October 14, 1922, we willed that this work should be committed to the Fathers of the Society of Jesus, to whose care Pius X had already entrusted the Biblical Institute.

¹ Pius X, Litt. Ap. *Vinea Electa*, May 7, 1909.

² Ibid. *Scripturae Sanctae*, February 2, 1904.

³ Bened. XV, Litt. Ap. *Cum Biblia Sacra*, August 15, 1916.

In devoting its earnest attention to the study of scriptural and oriental subjects, the Gregorian University does but follow the example set by its disciples in former days. Whenever the situation was urgent and the needs of the Church so demanded, it has inaugurated new branches of instruction. This is shown sufficiently in the setting up of the famous Chair of Controversy, occupied with such distinction for many years by the Blessed Robert Bellarmine. Moreover, it is well known that the labours of this celebrated doctor of the University were directed not merely to the conversion of the so-called Reformers, but to the return to the One Church of the Eastern nations as well.

Accordingly, since these two Institutes now prosper with the fair promise and full fruits of success, and further, as a college at Jerusalem has lately been acquired to render the Biblical Institute doubly perfect and complete—that we may fulfil our cherished purpose—after mature deliberation, of our own accord and assured knowledge, we determine and decree that the Biblical and Oriental Institutes be bound in association with the Gregorian University, and in very truth we so bind them that these two Faculties, in union with the other Faculties of the Gregorian Institute, may together constitute one Pontifical University of Ecclesiastical Studies, though under such conditions that each Institute, the Biblical and the Oriental, shall continue, notwithstanding, to exist in its own right and be subject immediately only to ourselves and our successors in the Apostolic See.

The importance of this association and the many and varied advantages that may be expected to accrue therefrom, will be universally apparent. The circumstances of modern life make such demands in the matter of knowledge upon men in Sacred Orders that the several Institutes, however well equipped they may be, as long as they refrain from mutual association and intercourse, can only attain with the utmost difficulty, or, perhaps, cannot attain at all to the end which the Church has in view—to wit, the progress of sacred sciences and the eternal salvation of mankind. From the union, of which we have spoken there will be this advantage, to begin with, that lecturers on different subjects will be enabled to meet and co-operate with one another with greater facility and frequency: it will be easier for them, by dint of mutual assistance and advice, to write and publish books and commentaries and periodicals. The new arrangement should be of equal benefit to the students who frequent these Academies: those who are specializing in a particular branch of study will be able to attend the lectures given on general and fundamental subjects, and profit by the advice and private tuition of the lecturers concerned; while others, who are following a more comprehensive course, and studying to become professors in their turn, will have the opportunity of consulting an expert in any department, to which they may find it necessary to turn. In addition the house at Jerusalem is to be made available for all classes of students. Since however, a well-stocked and carefully arranged library is one of the chief requisites for successful study, it will be no inconsiderable advantage that the three libraries in question, although they are to remain in their

respective buildings, can be so amalgamated that they form, for practical purposes, one complete storehouse of knowledge on ecclesiastical and kindred subjects. Access to the books will be made more convenient both for the professors themselves and for those who are preparing for a professorship, if in each of the Institutes an index is kept of all three libraries; further, it is our earnest hope that all three Academies will take greater pains than before, and spare no expense to make their individual libraries as full and complete as they can.

The brief indication which we have given of the manner in which the three component parts of the single University should combine in subserving their common end will be supplemented, as occasion may require, by particular decrees: but we judge it best here and now to confirm with all necessary amplification the existing rights and privileges of each separate body.

First, then, by this, our *Motu Proprio*, we confirm and ratify, in favour of the Gregorian University and the two associated Institutes, all the rights and privileges which were granted to the Gregorian University by Julius III, Pius IV and Gregory XIII, and, subsequently, after the restoration of the Roman College to the Society of Jesus, confirmed by Leo XII. Furthermore, we confirm and ratify the additional concessions of Pius IX and Leo XIII (as confirmed by the latter), together with all grants made by ourselves since our Pontificate began.

But there is one concession to which we would call particular attention, in order that there may be no question about the high importance which we attach to every encouragement and stimulus that may inspire our Beloved Catholic Youth with an increased earnestness in the pursuit of learning. Once more, then, and in express terms, we impart to the Gregorian University the power of conferring the full series of Academic degrees in the faculties of philosophy, theology, and canon law (as is provided in the letters and decrees of our predecessors and ourselves), to all those who, under the guidance and direction of its teachers, have followed the courses in these subjects, and proved their competence by examination.

Nor is this all. There are those who, though they have successfully covered the whole curriculum of Philosophy and Theology (either in the Gregorian or some other Roman or foreign University) and are not deficient in sound and thorough knowledge, are yet, for all that, not equipped to become writers or teachers of real distinction. The reason for this is that they have not had the opportunity of research work or of studying the sources of their subjects—have not, in a word, followed those advanced courses which are specially designed for future professors. And it is precisely that their needs may be supplied that we most earnestly desire that young men of marked ability who are likely to teach in seminaries, especially seminaries conferring degrees, may be sent to the Gregorian University and its associated Institutes. In their interest we once more empower the Gregorian University to bestow the title of 'Master Aggregate' in philosophy and theology upon all those who have taken its advanced courses, in accordance with the decree of the Sacred

Congregation of Seminaries and Universities issued on June 23, 1922, in the first year of our Pontificate.

Finally, we again lend the full weight of our earnest paternal approval to the 'Institute for Higher Religious Studies' for laymen, which was begun at the Gregorian University in 1918 and extended in 1927, that it might more effectively support the work of Catholic Action: and we exhort those zealous sons of Holy Mother Church, who desire, as lay folk, to exercise the duties of the Christian apostolate, to attend this Institute, which is so well adapted to the needs of the time, and there to imbue themselves with true Christian doctrine.

With the help of the rights and privileges which we have thus granted and by following out that tradition of studies which the centuries have approved, the Gregorian University cannot fail of discharging its function—the education of lay folk and, more especially, younger priests and clerics, in the genuine doctrine of St. Thomas, and the true spirit of the Roman Church.

It remains that we speak of the Biblical Institute. Since that body is now governed in accordance with the plan which had so highly commended itself to the Apostolic See, we content ourselves with decreeing the confirmation and necessary amplification of all the rights and privileges already conceded by our predecessors and ourselves. It is our will, then, that the Pontifical Biblical Institute (as was provided in the Encyclical '*Vinea Electa*' which inaugurated its existence) shall depend immediately upon the Holy See and be for the future entirely independent of the Pontifical Biblical Commission.

The privileges, which were conferred upon this Institute, in the Apostolic Letter '*Biblia Sacra*' of August 15, 1916, we wish to amplify, that they may be in keeping with its new dignity, and that its pupils may prepare themselves for academic degrees through its normal courses. We accordingly grant to the Pontifical Biblical Institute the power of conferring the customary awards of honour in Scriptural Studies, not excepting the doctorate, upon those who have duly completed its prescribed courses, and have been adjudged, by examination, to be worthy recipients of such awards.

This our grant is in no way intended to prejudice the full rights of the Pontifical Biblical Commission to confer, according to its own statutes, degrees of a similar kind on all those who desire to undergo an examination in Sacred Scripture under its auspices.

Yet it is our desire to renew the exhortation contained in our *Motu Proprio* '*Bibliorum Scientiam*,' dated April 27, 1924, which we addressed to local Ordinaries and Superiors of Religious Orders and Congregations, on the subject of sending their students to the Biblical Institute.

Further, we confirm the privileges and rights of our Oriental Institute, especially that of granting degrees for Oriental studies, privileges and rights granted both by our predecessor, Benedict XV, in the Apostolic Letter '*Quod Nobis*,' dated September 25, 1920, and also by ourselves; but, in particular, we once more commend and reaffirm what was laid down in our last Encyclical '*Rerum Orientalium*,' being fully confident

that this Institute will be of immense service in the speedy recall of the Easterns to the centre of unity.

For the rest, we would express our gratitude to those who have given us such opportune help towards the realization of this our purpose; and we are convinced that, in the future also, all men of good will will help us to bring the work we have begun to a successful conclusion.

All whatsoever has been determined in this our letter, given as it is *Motu Proprio*, we order to be held authentic and binding, anything to the contrary notwithstanding.

Given at Rome, at St. Peter's, the thirtieth day of September, on the feast of St. Jerome, the illustrious doctor of the Church, in the year nineteen hundred and twenty-eight, the seventh of our Pontificate.

PIUS XI POPE.

The object of the *Motu Proprio* 'Quod Maxime' is 'so to complete the Gregorian University in every department that, fully equipped and thoroughly adapted to the special needs of this age, it should be, for every class of ecclesiastical study, in the fullest sense of the word, a true University.' Among the special needs of this age must be reckoned the training of the clergy in Scripture science. Those in particular who are marked out to teach Scripture in seminaries have to be provided with the means of acquiring a full Catholic education in their own subject, and with a constant supply of scientific information, through periodicals, from authoritative Catholic sources, on vexed and difficult questions, when their period of tutelage is over. Thus only can they hope to exercise, by the depth, precision and richness of their learning, and the mature gravity of their opinions, a proper influence on the minds of their hearers. It is, therefore, necessary that an ecclesiastical university, if it is to be a true university, in the fullest sense of the word, should possess a Faculty of Scripture to train students in higher Biblical studies.

During the past thirty-five years this question of Biblical studies, and the larger question of organizing ecclesiastical studies in general, have occupied the minds of the Popes. Leo XIII appointed, in 1902, a Commission composed of Cardinals and other learned persons, to exercise a helpful vigilance over authors and teachers of Scripture subjects.

On February 23, 1904, Pius X, by his Apostolic Letter '*Scripturae Sanctae*,' gave the Pontifical Biblical Commission the right to confer the Doctorate in Scripture on candidates who satisfied its Board of Examiners. On May 7, 1909, the Pope's project took more definite shape. On that date Pius X by his *Motu Proprio* '*Vinea Electa*,' founded the Biblical Institute, whose government he committed to the General of the Society of Jesus, with the proviso that the institute was to remain immediately subject to the Apostolic See. The institute bore some resemblance to a university, in that it had a staff of professors who were instructed to prepare candidates for examination before the Biblical Commission, by lectures and practical exercises *de re biblica universa*. The institute was provided with a well-stocked library, to which the students were to have easy access, and with a museum of objects mentioned in the Bible.

The Biblical Institute carried out its instructions so well that Benedict XV, in the Apostolic Letter '*Cum Biblia Sacra*, of August 15, 1916, honoured it with the high praise that 'in a brief space of time it had sent many accomplished scholars throughout the Church.' This letter further accorded to the institute, in view of its meritorious service, the right which heretofore it had not enjoyed, of conferring certain degrees—the Baccalaureate after a two-years' course, and the Licenciante in Sacred Scripture after a three-years' course; the right to confer the Doctorate still remaining exclusively with the Biblical Commission. However, by this concession the Biblical Institute acquired a large if not as yet a full measure of participation in the rights and privileges proper to a university.

On October 5, 1917, Benedict XV founded another cognate institution. By his *Motu Proprio* '*Orientis Catholici*, he established the Oriental Institute, housing it in an *hospitium* near the Vatican. The objects of this foundation are stated in the Letter: To train Latin priests intending to work among Oriental peoples for their mission; to provide in Rome, under the immediate supervision

of the Pope, a college for the education of priests belonging to the Eastern rite ; to open to Orthodox Greeks and other Oriental denominations a teaching centre, where they could study and find Catholic truth. The broad purpose of this institute was to prepare the ground for the conversion of the East to Catholic belief. A special library was supplied, as it was to the Biblical Institute. On September 14, 1922, the reigning Pope, Pius XI, by his letter '*Decessor Noster*' transferred the Oriental Institute from its inconvenient situation, far from the centre of the city, to the house occupied by the Biblical Institute in the Piazza della Pilotta, and entrusted its management to the General of the Society of Jesus, with the proviso that it was to remain distinct from the Biblical Institute, and, like the Biblical, immediately subject to the Pope and his successors.

In the *Motu Proprio* '*Bibliorum Scientiam*,' April 27, 1924, Pius XI exhorts the Bishops of the Church to select young men with gifts for Scripture study, to awaken their interest in the new foundations, and to encourage and aid them to obtain academic degrees, either by attending courses at the Biblical Institute or by examination before the Biblical Commission. The Bishops are further instructed to commit to these young men, thus trained and proved, the important duty of explaining and interpreting the Divine Books in the seminaries. To render his wishes more attractive the Pope ordained that the degrees conferred by the Biblical Institute and by the Biblical Commission should carry with them the same rights and canonical effects as degrees in Theology and Canon Law conferred by any Pontifical University ; to render his wishes more effective the Pope ordained that no one who had not obtained degrees either from the Commission or the Institute could teach Scripture in seminaries, adding that the Baccalaureate of the Biblical Institute was sufficient for this purpose. Similarly, the Pope requests that Heads of Religious Orders and Congregations should send to the Biblical Institute some of their subjects who showed special

aptitude for Biblical studies. And he asks the Bishops, moreover, to establish burses for the support of their students attending the courses of the Biblical Institute.

The Oriental Institute was granted the right to confer the Doctorate in its special subjects by Benedict XV in the Apostolic Letter '*Quod Nobis*,' September 25, 1920. The Gregorian University, which already possessed the right to confer the Doctorate in Theology, Philosophy, and Canon Law, was instructed about the same time to arrange special courses for those who, after the Doctorate in Theology and Philosophy, were marked out by their superiors for higher studies in these disciplines, and, at the successful conclusion of this two years' course, to confer the degree of *Magister Aggregatus*. Thus, by 1924, the Gregorian and the two independent institutes very nearly embodied the ideal of a Pontifical University in the widest sense of the word. It remained to be seen whether the Gregorian and the institutes would prove themselves worthy of the confidence placed in them, by carrying out efficiently the Pope's desires. The latest *Motu Proprio* sets the seal of Papal approval upon their work by uniting the Biblical and Oriental Institutes to the Gregorian, thus giving these two colleges a university standing. The three branches, the Gregorian, the Biblical, and Oriental Institutes, rank as independent teaching bodies in a great Pontifical University, the institutes remaining immediately dependent upon the Pope. Thus, at length, the Papal plan of organizing higher ecclesiastical studies has come to maturity after thirty-five years of patient trial and ordered development.

The new arrangement is admirably suited to effect the object in view. Now for the first time, perhaps, in the history of the Church, an adequate preliminary training can be given in the chief departments of ecclesiastical scholarship. Two institutes wholly devoted to Scriptural and Oriental learning, each with its own charter, its staff of professors, its libraries and periodicals, have been added to an old and renowned university. It is their office to defend and explain by all the resources at their

command 'the divine gift of heavenly wisdom,'¹ committed to the Church in the Sacred Books. The Gregorian itself benefits greatly by its alliance with the two institutes. Errors concerning the Divinity of Christ and the divine institution of the Church force us back in defence upon the Scriptures; and the professors and students of the Gregorian, especially the Magisterium students, may now easily obtain expert assistance and advice from the institutes. The fact is that now a university, in the most liberal sense of the term, exists at the very centre of Catholic Faith, a university teaching by ample charter all knowledge that bears directly upon religious truth. The various branches of ecclesiastical learning are now gathered up into a synthesis, one supplementing the other to form a corporate body of authoritative teaching. It is true that theological speculation always had to take account of exegesis, patrology of dogma, and Scriptural exegesis of both; none of these sciences was ever so independent and self-sufficient that it could ignore the others. Now, however, the leading authorities in the various sciences will lecture in Rome, there will be immediate contact between the professors in different faculties, the students will have easy access to all the lecture halls, and derive instruction from an organic and living magisterium. Professors, when treating in writings or lectures of matters in which they have special competence, may need expert help in order to harmonize their teaching with the assured findings of an allied science; and this help will now be easy to obtain. Students who are specializing in one branch—in theology, philosophy, Canon Law, Scripture or Eastern patrology—may frequent lectures in other subjects, and consult, for their fuller information, the professors in the several faculties. Thus, it will be possible to specialize—and specialization is necessary nowadays for those who apply themselves to scholarship—and, at the same time, to avoid, as far as may be, the cramping effect of intensive specialization.

The wise provision that safeguards the independence

¹ *Bibliorum Scientiam.*

of the three constituent members by making them supreme in their own spheres of work, secures that the university will give its professors and students, especially its advanced students, an intellectual religious culture at once broad and penetrating. The branches are co-ordinate, not subordinate one to the other. This provident equality removes the danger of one overshadowing the others, interfering with their hours of teaching, or the scope and method of their curricula. Each will devote its whole energy and enthusiasm to its own perfection, endeavouring to provide the best instruction in the branches of learning proper to it, while co-operating with the others for the perfection of the whole. The *Motu Proprio* of Pius XI has brought into being a great organic Pontifical University.

Attached to the Gregorian and the allied institutes are libraries, developed, each on its own lines, by professors whose interest and duty it is to furnish their particular libraries as completely as possible. These large collections of books, though not all in the same building, are within easy distance of each other, and the students have the privilege of consulting them. Furthermore, the house in Jerusalem, recently acquired by the Biblical Institute, is open to the students of the other foundations as well.

These three teaching corporations will constitute a true university in yet another important sense. They will number among their *alumni* students drawn from all parts of the world, differing in language, nationality, culture, and form of religious worship, but united, for the most part, in a common faith, and in a sincere desire to know and understand Catholic truth. The concourse of students at the Gregorian is conspicuously international; many of the great Religious Orders and Congregations are represented there; and laymen—sometimes Protestant laymen—attend its courses. Last year the Biblical Institute had eighty-three students on its rolls: thirty-four in the First Year, twenty-seven in the Second Year, and twenty-two in the Third Year. The following nations and Religious Orders were represented: America, Argentine,

Austria, Belgium, Canada, Chili, Czechoslovacchia, England, France, Germany, Holland, Ireland, Italy, Jugoslavia, Lettonia, Malta, Mexico, Rumania, Poland, Spain, Syria, Switzerland; Augustinians, Basilians, Benedictines, Canons Regular, Capuchins, Carmelites, Cistercians, African Missions, Oblates, Passionists, Premonstratensians, Redemptorists, Missionaries of the Sacred Heart, Jesuits, Society of Mary, Society of the Divine Word—in all forty-seven secular, thirty-five Religious Priests, and one layman. If we include the students who frequent the Oriental Institute, we shall find in this university a gathering very nearly representative of the Catholic Church. No more favourable setting could be desired for the university education of a Catholic priest, especially if he is marked out by his gifts and the selection of his superiors for a life of study.

The Biblical Institute has already proved its worth, having in the brief period of its activity formed about two hundred professors of Scripture, who are now teaching in various Seminaries and religious scholasticates throughout the world. It issues three periodicals, and its professors have published many books and edited many MSS. Of the Gregorian it is not necessary to speak. The value of its degrees, and the writings of its professors are well known, and its quarterly *Gregorianum* holds a foremost place among theological and philosophical reviews.

The Oriental Institute has not, so far, many notable achievements to its credit, as it has been engaged almost entirely in the less obtrusive work of preparation. Its mission lies in the future, in the near future. Turkey is conforming more closely day by day to Western culture, a trend which makes missionary work among the Moslems extremely feasible. Russia, now that the Orthodox Church has collapsed, is ready for the preaching of the Catholic faith, as soon as free entry and discussion are permitted to our priests, and the opportunity cannot be long delayed. The Oriental Institute is preparing the Church to seize the opportunities that are maturing in the East. When the time is ripe, missionaries will be ready—missionaries well furnished with the knowledge particularly required, with

intelligent sympathy, and with the unfailing support of eminent scholars, supplying them, chiefly through publications of various kinds, with appropriate information. The institute has already made a beginning by publishing a scholarly review: *Orientalia Christiana*. The fact that the Oriental Institute is a constituent part of the university will turn the eyes of professors and students in the other foundations towards the East, where a great door and wide is opening for the Church; and the students and missionaries formed in the Oriental Institute will be brought into memorable contact with the large and generous culture of the Catholic faith. Not merely the Sciences, but two hemispheres are brought into a living organic unity by the *Motu Proprio* which establishes the greater Pontifical University. The plan has taken this shape because it grew out of a desire for one fold and one Shepherd, in the East and in the West. The enlargement of the Pontifical University is the first step towards the practical execution of that design in a divided world.

This university, then, is charged not merely with the duty of training the clergy for their ordinary professional work, but also, and chiefly, with the duty of training them to assist, as far as possible, the 'progress of sacred sciences and the eternal salvation of mankind.' It is to be the seed-bed of learning and the glory of ecclesiastical scholarship. Educated at one or other of these colleges so liberally endowed with many and great advantages, distinguished and learned men will, by lectures and writings, diffuse throughout the world, in the East and in the West, the Catholic faith and the spirit of Rome. Pope Pius XI has inaugurated the new apostolate for the conversion of the modern world to Catholic unity.

It is not surprising that the Holy Father expects that his efforts will meet with loyal support on the part of Bishops and Heads of Religious Orders. It lies with them to send suitable young men to Rome that they and the whole Church may benefit by a great and liberal ideal of ecclesiastical education.

J. E. CANAVAN, S.J.

WHAT IS IT ALL ABOUT?

BY PROFESSOR W. F. P. STOCKLEY

THERE is another 'crisis' in the Church of England. 'Not a crisis, only a hitch,' was said; of some one other of such oft-recurring disturbances. They can never cease. The Church of England was made, by the 'Elizabethan Settlement,' to include various tones of mind, traditions, 'schools of thought.' By her equivocal utterances, those who wished to be 'Catholic' in a sense, and those who would be not too immoderately Protestant, were to be held in a national religion, that great State need of the sixteenth century. In Holy Communion, 'Christ's Body and Blood were to be verily received,' and a 'Catholic' was thus to be comforted; but 'the means whereby they are to be received is faith,' and so a Protestant need not fear any Presence except in the receiver. And the communicant is spoken to, of 'The Body of our Lord'; but he is told to take it 'in remembrance.' Again, 'the Church hath authority in faith'; and here is a teaching Church. But yet, again, 'all Churches may err'; so you may be the judge, and may interpret Scripture against the 'Church.' Contradictions will not coalesce, merely because we have not time for speculation; but the Church of England thus speaks with the stammering lips of ambiguous formularies, because it was so designed. Whenever discussions are raised, High Church and Low Church can each appeal to what this comprehensive body has said. The only way to have peace therein, and to get work done, is not to consider too curiously, not to ask too many questions. When you do ask, then comes clash of tongues. And there is none to silence them. The more you try, the more the clacking rises, like voices of disturbed fowls, frightened or excited. These die down

once more. Nothing special happens. And again and again; and ever again. *Sicut erat, et nunc.* It is far too late in the day now for a Low Church prelate to say that a Church with two voices is no Church. Just as it is too late to say that the English Church is in State-chains. It began in State-chains; when, by act of Parliament, its new Bishops were set up, and its Prayer Book imposed on England, from St. John Baptist's Day, 1559.

England is now a country where most people go to no church. Some 15 per cent. go, in London; judges London's Established Bishop. And, in that percentage, he includes the more church-going Catholic minority. 'Nevertheless,' says Mr. Stanley James, in his *Confessions of a Tramp*, 'if you do, indeed, hold that the English masses take no interest in religion, go into the nearest pub, to be undeceived.' Alas! this noble people, born for religion—continues their Newman, in a strain of higher mood.

And so, any mere shruggings of shoulders at England's illogical Established Church, reciting Creeds, laying down Articles, and yet changing with the national life and its varied sentiments, Calvinist Tudor, High Church Stuart, Latitudinarian Hanoverian, Evangelical, Tractarian, and so on—such mere shruggings of shoulders at this ecclesiastical product of an illogical people, does not fit one to measure the state of mind in the mass of the English people; wherein Catholicism and its consistent speaking with authority, numbers only some five per cent. of that population. (No doubt, the unreason of the illogicality almost passes serious belief. You are considering a 'Church' capable of putting in Prayers for the Dead, because English parents mourn for their sons dead in the war! after putting out such prayers for centuries!)

Nor will scoffing, from a dogmatic standpoint, at the vagueness of religiosity in England—'we are most religious' (said to me, lately, an English professional singer, of herself and fellow-artists); 'but we do not go to church'—and the Protestant peoples influenced by England, fit us to measure religious sentiment among them, expressing itself

not less in high ideals than in noble philanthropy. Though, surely, this we may say, that if Christian Truth is still to seek, in 1928, two things are plain : (1) That Christianity is unknowable, except as 'everything' natural is knowable ; and (2) that the Church of England does not exist, except as a log to which living barnacles, of Catholic or of Protestant hue, have adhered. Still, like other things complex, ill-defined, illogical, English typical religion may have reality, in its own ways, and be neither absurd nor negligible.

Why, however, is, here, all this Church to-do ? (1) Because of the not unreal vaguer religious sense in some Englishmen, warring with the dogmatism still held by others ; and (2) because the dogmatic themselves are divided, in belief, tradition, and ideal. And yet all three must house together, and each claim to be master of the house of the 'Church.'

How true it is, that the serious, yet undogmatic, not to say utterly unreasonable, mind of typical Englishmen, is yet made for religion, let witness the *Observer* (London) of June 17, 1928, protesting passionately against the arrogant Commons' decision about a new optional official Prayer Book. In which decision, is observed, 'one startling yet wholesome effect,' 'in what seemed to be an overpowering age of materialism and mechanics' ; and the effect is, 'the disquieting incalculable impression, that there are still many [English non-Catholic] people who would give all they have, their lives included, for their conflicting spiritual beliefs ; above all, for equal freedom of belief.' (But, then, why have a 'Church,' just to hold together equal beliefs ?) This unreasonable *Observer* continues, that others also would give life and living, 'to vindicate this part of the soul and glory of England—its genius of humanity in law, and of tolerance in religion.' A strangely excited historical remark to be made in the hearing of Irishmen—'to whom.' said Wolfe Tone's 1798 Manifesto to the French Government, 'the English name conveys no ideas but those of blood and pillage and persecution.' But, also, a remark with

an excited gesture, quite needless. Modern England has 'tolerance in religion.' Good. But why, and echoing why, why, within a 'Church' with its recited Creeds, and its sworn-to Articles, why have 'tolerance in religion'; that is, the admission of all those tolerated in England, into an English national 'Church'? Why call all the tolerated a 'Church'? And then, why, oh why, impose on them any Book or Books, or Creeds, or Articles? And by what right or reason?

It is a thing no foreign fellow can understand. For he can get no answer to that, his reasonable question. The fact of it is, the questioner is dealing with a product of gradual dissolution of authority in religion, of forgetfulness of a teaching Church, of an instinct that the individual's feeling shall be the teacher, the moulder, the developer of the 'Church'; while yet this unreasonable product-man has an honest horror of simple irreligion, and is far from accepting the non-existence of anything absolute in morals. He will not be a materialist. And any logical man of religion will do an ill turn, if he tries to drive the man of vague English religious feelings into renunciation of all reverence and decency. In 1928, Lord Haldane is quoted with approval by Sir Robert Falconer, President of Toronto University (once a Presbyterian clergyman, and perhaps, still desiring to be considered as such): 'There may be great divergence of belief about the Gospel narrative; there is none about the presence of God in the soul, or about the tremendous significance of the teaching of Christ.' That is just what sounds so grand at secular colleges' Commemorations, or Speech Days, in their chapels. It irritates the more logical Rationalist Press Association on one side, as much as it irritates the Catholic Truth Society on the other. For who is Christ? What does He teach? Why must I follow His teaching? Like the later Anglican *Observer*, the later Presbyterian preacher concludes: 'There is a universe of religious and moral values as compelling as that of the heavens into which the astronomer guides us. The spell cast upon mankind by

Isaiah, Jesus, Augustine, Pascal . . . is proof of that.' Floods there are, of these sayings, in the English-speaking world. The ex-Catholic Frenchman, when he was invited by a female enthusiast, to sit under some such preacher, remarked : ' Madame, I have lost my faith ; but I have not lost my reason.' And not merely Frenchmen, but the Catholic-minded American *Commonweal* (June 13, 1928, page 142) reflects : ' Saying " Lord ! Lord ! " in moments of exaltation or depression ' is not ' a substitute for doing the will of the Father in heaven.'

Has He a Will for us ? Is Faith a means to please God ? Is Faith acceptance of His word ? The ideas underlying such Christian questions have faded from the English mind ; even when, as it would say, it was ' religious.' And, when more worldly, or political even, this religiosity-mind descends to express itself by a recent Lord Mayor of London, who offered to Christian bodies in England as their meeting-place for reunion all round, ' the chief building of the great capital city of the British Empire,' the Mansion House of London. Love of God ; love of our fellowmen ; and sink the differences—that was the good programme. Only why have, therefore, ' one great British Church,' in any sense having something to teach ? London Lord Mayors, perhaps, know. No reasonable beings know.

Yet this mind without meaning, is but a development of England's Establishment, preaching, persecuting, for the new, and varying, opinions, of a few dioceses north of the English Channel. What authority could such have ? And, anyway, within those very dioceses—as the historian Green said to the historian Freeman and his coquetting with Anglican ' continuity '—there was a religion in 1480, which was not the religion of 1580. Why were these dioceses more right in 1580 than in 1480 ? There can be no answer. In fact, the Archbishop over these dioceses implies that there need be no answer. ' Thousands of religious people,' (to them remarks, reproachfully, the ex-Archbishop of Canterbury), ' are wont rather to crave for certainty than

to crave for truth.' Wherefore, why have an Archbishop of anywhere? As Dizzy said to Broad Church Stanley, Dean of Westminster: 'My dear Mr. Dean; no dogmas, no deans.' It is reasonable to add: 'No Bible, no Bishops.' It is, indeed, obvious, to the man of the common modern mind in England's non-Catholic world, that such Archbishopal utterances are a rich root of utterances flourishing far away from the soil of revealed Truth, utterances such as the *Observer's* and its Lord Mayor's; which pay no heed to any lip service paid to Creeds, in the Archbishop's Prayer Books, either new or old. Why, truly, on the Archbishop's own premises, should heed be paid them? This same Archbishop says, that he and his colleagues made their new Prayer Book to suit certain modern men—Englishmen; 'the vigorous Anglo-Catholic, the staunch Protestant, the Liberal anxious enquirer against both.' And an Archbishop did not seem to see anything funny—shall we remark?—in saying that. But to the whole thinking world, believing or unbelieving, it is funny. What, indeed, could he and his do? They were, he explained, faced with 'difficulties.' They were. Dr. Darwell Stone, and two thousand 'Anglo-Catholic' clergymen with him, stated to their Bishops, that 'We hold' the Catholic doctrine of the Mass. Mark you, their absolute 'We.'

And this consideration of England's incomprehensible comprehensive Church, as the fountain of England's present-day agitated religiosity drifting along and away, brings us to the unending and unendable fight, even among the dogmatists in this English Church. Its John Hales (who, we are tired of hearing, was 'memorable') declared, that 'nothing troubled him more than these brawls'; in the seventeenth century; when Lord Bacon was writing his treatise on how to bring peace to the Church of England; whose original constitution might have spared him the trouble of writing on what cannot be. Witness three hundred years. Tell two youngsters, each has a right to sit in the same chair. Put both in, at the one time. Witness the result. Already, in 1889, Archbishop Magee, then Protestant Bishop of

Peterborough, wrote—perhaps, with more Irish orderliness of mind :—

Rule of all kinds in our Church seems out of date. . . . A little more or a little less of anarchy is not of much consequence. We are now well over the edge of our Niagara ; and I do not greatly care to strain my muscles in baling or trimming the boat on its way down.

Perhaps, the Irishman forgot that it was an English boat. One never knows where or how such a boat won't turn up. 'Both are recognized schools of thought,' says the Anglican *Church Times* (January 3, 1928). And how far from Catholic Belief is 'Anglo-Catholic' arranging, and settling, and deciding, and compromising, as to what is best (in its campaign of forcing the Church of England to agree with 'Anglo-Catholicism') could not be better seen, than in the words that the *Church Times* adds :—

Our view is, that, for the moment, we must accept the fact of the comprehensiveness of the Church of England ; even though we may believe that Catholicism and Protestantism are mutually contradictory and mutually destructive.

No one will deny, that, in principle, such talking is identical with the talk about a 'Church' suiting the British Empire, or some other human institutions, or sets of notions.¹ The fights cannot but go on, three-cornered, in England's Church thus arranged. With Catholicism, such an arranging has nothing to do.

If truth is knowable—in whatever the sense may be—known truth is exclusive. And Mr. Aldous Huxley surely forgets, or misses the point, when he concludes with the words of this passage from his new *Proper Studies* ; wherein he appreciates that Catholicism is wide, like the race for whom it exists, neither Greek nor Gentile, nor English, nor Anglo-Saxon, nor 'Nordic,' nor Teuton, nor Latin, nor yet European only :

The recent enormous growth of Catholicism in countries hitherto

¹The sympathetic *Sunday Times*, November 11, 1928, observes : 'From the beginning to the end of his career, Dr. Davidson has had one evident and single purpose, to assure that the Church of England shall continue comprehensive and Established, failing which it could not play its proper part in the national life.' This venerated personage's elevation to the House of Lords seems a fitting enthronement of this all-round well-accepted ecclesiastical representative of the nation, in its great National State Institution.

predominantly Protestant, such as America, England, Germany, and Holland, surprises and alarms some observers. I will not affirm that the phenomenon is not alarming; but that anyone possessing the slightest knowledge of human nature should find it surprising is a fact which in its turn surprises me. Catholicism is probably the most realistic of Western religions. Its practice is based on a profound knowledge of human nature in all its varieties and gradations. From the fetish-worshipper to the metaphysician, from the tired business man to the mystic, from the sentimentalist to the sensualist, to the intellectual, every type of human being can find in Catholicism the spiritual nourishment he or she requires. For the sociable, unspiritual man, Catholicism is duly sociable and unspiritual. For the solitary and the spiritual it provides a hermitage and the most exquisite, the profoundest models of religious meditation; it gives the silence of monasteries and the bareness of the Carthusian church, it offers the devotional introspection of à Kempis and St. Theresa, the subtleties of Pascal and Newman, the poetry of Crashaw and St. John of the Cross, and a hundred others. The only people for whom it does not cater are those possessed by that rare, dangerous, and uneasy passion, the passion for liberty.

It is, indeed, said Matthew Arnold, (Mr. Huxley's grandfather's antagonist), a great thing to be able to do what one likes, but a greater thing to know what one ought to like to do. If knowledge there is, if duty there is, the Catholic Church's very claim appeals to reason.

But, in a body that half says it knows, and acts as if it knows not, these fights cannot but go on; in what is fated to be an unending debating society, and of amateurs. Remember, Anglicans are children in religious matters, was what struck the late Hugh Benson, made priest. And their *Church Times* even (May 12, 1922), allowing 'we may take exceptions to the word "pretending,"' yet, in quoting Mr. G. B. Shaw, allowed, further, that 'on the question of amateurism we believe that he is on the whole right'; when Mr. Shaw said:—

The Church of England is only a society of gentlemen amateurs; half of them pretending to be properly trained and disciplined priests; and the other half pretending that they are breezy public schoolboys with no parsonic nonsense about them.

Their debates go on and on. Very properly: if there is no revelation, and no interpretation thereof; but only a restating, 'in terms of modern thought.' So express it, some Anglicans. Other Anglicans, that 'the faith of the

Gospel cannot be "re-interpreted" in terms of Socinianism. And if it could,' continues the *Church Times* still dreaming, 'it is *ultra vires* for two Provinces.'—Canterbury and York—'of the Church Universal to attempt the task.'

But in 1923 these Provinces' Archbishops appointed a clerical commission 'to investigate how far it is possible to remove or diminish existing differences in the Church of England.' In 1926 that Commission hoped 'to produce a report which will help the different schools of thought in the Church of England to realize the reality of their oneness in faith and doctrine, despite their *differences of approach and emphasis*'! Not even Mr. Shaw, not even the late Mr. Mallock, not even *Punch*, could better that phrase-product of English-ism. Archbishop Gregg of Dublin has carried it (October, 1928)—distractedly, perhaps; obviously distressedly—over to the old Abbey of Gloucester, used as a Cathedral for the preacher: 'When we Anglicans impose on ourselves a more loyal submission to *the collective mind of Anglicanism* (!), we may . . . be useful in bringing about wider unity.' The retiring Archbishop of Canterbury sees great good in the discussions of High mind and Low mind, in the interest of truth. So, he answered the High Church English Church Union; which, indeed, has had to resign itself to be content with collective union, not unity. And Lord Davidson upbraids those old-fashioned Christian persons who like knowing truth, rather than always seeking if it may be known.

Yet voices rise in the English Church, of reason, of aspiration, voices of those ashamed, indignant, confounded; voices nevertheless, of those who say, and do not. And action is the test; and those who get a habit of mere speaking, stifle the sound of calls to act. That *Church Times*—it was of 1922—wrote, probably as hopelessly as it was helplessly: 'We trust that our Fathers will give a stronger lead than they have felt able to do synodically.' 'It is time'—also May, 1922, the Low Church voice of the *Record*—'It is time that the Bishops made some definite attempt to set their house in order.' One of their number, in Africa,

Dr. Weston, protested that the Church of England was really a no-Church, in thus going wobbling and wandering on. 'For what does the Church of England stand,' he cried. If it will not say, (he seemed to imply), we can trust it not at all for our souls. But Bishop Weston died, and took no action. Now, says Bishop Gore, (who is made a sort of standard of faith, by confused if not confounded High Churchmen of a decade later), lays down—October, 1928—'The need of the moment (!) is, that the Church of England should make clear to the world and to its own members, what it stands for.' If it does not make that clear, were saying a dozen men, after 1850 (and the then High Court's declaration that Baptism may mean nothing), it shows itself to be no part of the Catholic Church. So said they all. Half of the dozen, only said. The other half—Manning among them—acted. Gladstone was among the sayers only, and not doers of that word.

But such loud words have not to do with things of the moment; they broach the truths that perish never; and little it matters what we have to say to them, compared with what they have to say to us. Bacon was going on, that other futile way, when he proposed, that 'twenty-five young men under fifty years of age' should 'meet, to settle doctrinal differences in the Church of England.' Bacon's young men would now be old, by three centuries; but their task, (as his Bishops allow), would still be young. Bacon said they should meet 'in April'; but did not lay stress on the first of that month.

For Bacon, the Protestant Churches were on one side; and he would not have his Protestant Church of England oppose her Continental sisters. Over these, acted and spoke, indeed, the Catholic and Roman Church, separated from us, Bacon said, by such great dividing lines as 'the Adoration of the Sacrament.' Yet even among his Anglicans, divided in their Protestantism, there was not peace; and Bacon pleaded that the controversies of the Church of England are not such as divide the unity of the spirit, but 'only such as do unswathe her of her bands, the bands of

peace.' Unswathe bands! Bands torn to shreds, and flying, would he see, from the wider and wilder controversies of to-day, to which Bacon's Church gave the inlets, through which he hardly imagined such warring spirits pressing, as do crowd therein, to-day. Even to the utterers of his day's varying voices, he could but give St. James's warning—to the great astonishment of the apostle, who laid down, 'Whosoever shall keep the whole but offend in one point, is become guilty of all'—'“Let every man,”' Bacon quotes, "be swift to hear, slow to speak, slow to wrath." The wound—in the Church of England—is in no way dangerous, except we poison it with our remedies.' So, 'the controversies themselves,' Bacon 'will not enter into; as judging, that the disease requireth rather rest than any other cure.' Truly, the moment that that composite body does begin to stir, all the ill-jointed parts do begin to rattle, their grating and clashing do make screams and riot, they do whirl and they do whiz; and they witness to an excess of motion, without any directed aim.

It may be that the early diplomatic Churchman of the new Protestant Establishment (as Bacon declares himself to be), is not all unfairly judged, in a Cambridge University Press book on him, in 1926, by C. D. Broad:—

It is evident that he was a sincere if unenthusiastic Christian of that sensible school which regards the Church of England as a branch of the Civil Service, and the Archbishop of Canterbury as the British Minister for Divine Affairs' (p. 19).

But not the Archbishops of Canterbury, St. Anselm, or St. Thomas, belonging to that 'Church of Rome'; of whose 'institutions,' Bacon adds, there had been, in his England, 'a general demolition.'

What of those who have caught a sound of the voice of the Church of the Ages, and have wondered if in it, indeed, can be heard the Voice of God, from where, beyond these worldly voices, there is peace?

You may trample your misgivings down. You may find out the most plausible reasons for remaining as you are, such as the necessity of fulfilling immediate duties, the danger of speculation leading to delusion, the chance of inquiry depriving you of faith. . . . You may do all this,

and be thought the better by the world for so doing; and feel less and less disquietude every year. But you will have betrayed yourself. A sorer sight there cannot be, whatever the world may think, than that of a brave man acting like a coward, an earnest man like a trifler.

Aubrey de Vere adds—writing, a couple of generations ago, on the abiding and inevitable *Plague of Controversy* afflicting the very essence of this so-called Church of England (p. 181):—

Yet even to this, men born for better things are reduced, by the imaginary necessity of submitting themselves to a state of things created for them by men immeasurably inferior to themselves, men who cheated them of those great primary ideas, Religion, Faith, and absolute Truth, [men] of a single generation, which lived its life and went to its judgment, three centuries ago.

On them, (out of whom he sprung, and to whom he bowed), who has passed a judgement more final, than the above-cited great sayer of the word, in his *Essays*? Thus is heard his great voice—in what, for him and his, are but words, words, words:—

If we are disposed to survey the realms of sacred or inspired theology, we must quit the small vessel of human reason, and put ourselves on board the ship of the Church, which alone has the Divine needle for justly shaping the course.

And

The true religion is built upon the Rock; the rest are tossed upon the waves of time.

Such were words, after the year 1600. Suppose these words after the year 1500; and where was 'the Church'; where, 'the true Religion'?

There is no basis. There is no settlement. There is but age-long drifting to and fro. Worship there is, of the notions one happens to have arrived at; and preaching of these notions as the doctrine of a Church, that, with complacency, is equally pleased to have ascribed to her these notions' contradictories. Being nothing, she stands for everything.

W. F. P. STOCKLEY.

FREEMASONRY

A STUDY IN CATHOLIC SOCIAL SCIENCE

VI¹—THE JEWISH ELEMENT IN FREEMASONRY²

BY REV. E. CAHILL, S.J.

ON March 23, 1928, the Sacred Congregation of the Holy Office issued an important decree containing the decision of the Holy See on 'the nature and purpose of the Association called the *Friends of Israel*, and on the pamphlet entitled *Pax super Israel*, edited by the directors of the Association.' Although 'many priests, bishops and even cardinals gave their adhesion to this association,' the Sacred Congregation condemns and completely suppresses it, by reason of 'its mode of acting and speaking which is out of harmony with the traditional sense of the

¹This article should have appeared as the fifth of the series.

²Cf. *Dictionnaire Apologetique de la Foi Catholique*, art. 'Juifs et Chrétiens,' cols. 1651-1764, especially cols. 1666-1668 (a well-balanced and comprehensive sketch with an excellent biography, by Felix Vernot); also art. 'Kabbalah'; and finally art. 'Franc-Maçonnerie,' by Gautherot (cols. 98-99 and 124-126). N. Deschamps, S.J., *Les Sociétés Secrètes et la Société*, edited by Cl. Janet, 4th edition (Avignon and Paris, 1881). Liv. II. Chap. xi., Sec. 6, Liv. III, Chap. Prelim., Sec. 9; also vol. iii. 'Annexes,' 'Document B.' Mgr. Jouin, *Les Fidèles de la Contre-Eglise*, pp. 24-69, and *Les Actes de la Contre-Eglise*, pp. 21-115. Both works are published at 8 Avenue Portalis, Paris (viii). *Analecta Juris Pontificii* (Rome, 1855), Première Serie, 4ième liv. cols. 770-779 ('Livres Talmudiques et Rabbiniques'); also Quatrième Serie, 35 ième. Liv. cols. 1417-1421 ('Livres Talmudiques'). Bonsirven, *Sur les Ruines du Temple*. This work forms a volume of the series *La Vie Chretienne* (published by B. Granet, Paris, 1928). Webster, *World Revolution* (2nd Edition); also *Secret Societies and Subversive Movements* (2nd edition, London, 1924). Even though one may not agree with many of Mrs. Webster's opinions and conclusions, her books are valuable by reason of the historical matter, not otherwise easily accessible, which they contain. Sombart, *The Jews and Modern Capitalism* (translated from the German by M. Epstein, Dutton & Co., New York, 1913; the French translation of the same book is called *Les Juifs et la vie économique*). Sombart is a Jew, and a professor in the Handelhochschule of Berlin. His book is scholarly and thorough. Leroy-Beaulieu, *Israel Among the Nations* (translated from the French *Israel chez les Nations*, 15th edition, undated—an apology or defence of the Jews, written some thirty or forty years ago by a French non-Jewish writer). Sydney and Beatrice Webb, *Problems of Modern Industry*

Church, the mind of the Fathers, and even the Sacred liturgy itself.¹

The secularist Press, which is mostly controlled by the great Jewish financiers, immediately showed its appreciation of the importance of the decree by striving to misrepresent it as a gesture of disapproval on the part of the Holy See of Catholic anti-masonic writers, whereas the contrary is the case. The decree is an authoritative re-assertion of the traditional attitude of the Church towards the Jewish people. The Church desires sincerely the conversion of the Jews to the true Faith. But she cannot compromise with them any more than she can with the Modernists or even with the so-called Anglo-Catholics. Hence, in the present decree, the Holy See takes measures against the Masonic and Jewish infiltrations into the Church, which were being attempted through the medium of the condemned association and pamphlet. On the other hand she also reprobates as contrary to the Christian spirit and teaching *Anti-Semitism*, properly so-called, just as she reprobates anti-Germanism or any other similar anti-ism that would imply 'racial or national hatred.' But to follow the direction of Leo XIII and 'tear away the mask from Freemasonry and let it be seen as it really is,'² is not anti-Semitism even when the Freemasons in question are Jews; and needless to say, the Holy See does not follow the example of the Masonic sectaries in so misapplying the term.³

Although the Jewish role in Freemasonry is for many reasons difficult to deal with, some acquaintance with that aspect of the subject is essential for an intelligent grasp

(London, 1898), Chap. 11.—'The Jews of East London,' (an interesting and useful sketch, by a friendly writer, of the social characteristics of the modern Jew). B. Lazare, *L'Anti-Sémitisme son histoire et ses causes* (Paris, 1894). Lazare is a Jew, and is one of the few Jewish apologists who do not lay all the responsibility for the antipathy between Jew and Christian at the door of the latter. H. Belloc, *The Jews* (London, 1922). Belliot, *Manuel de Sociologie Catholique* (2nd edition), pp. 366-371 (a useful summary of the Jewish question in its relation to modern social science).

¹ Cf. *Acta Apostol. Sedis*, April 12, 1928, vol. xx. p. 103.

² *Humanum Genus*, 1884.

³ Cf. *Rev. Internat. de Soc. Sec.*, April 29, 1928, p. 369 ff. where an account is given of the condemned league, and of the pamphlet *Pax Super Israel*.

of the whole. Hence, anyone that undertakes to convey even a summary idea of Freemasonry cannot afford to omit it. The present writer has made no study of the Jewish colony in Dublin or in Ireland. He knows, however, that the Jews in Ireland are a comparatively small body, although increasing considerably in recent years; and that the old resident Jews have the reputation of being, on the whole, industrious, law-abiding, and charitable. He has not had them in mind when writing the present sketch.

It is, however, a common belief among Catholics and others¹ that Freemasonry is somehow or other closely associated with modern Judaism. Our present purpose is to discuss how far such a belief is well-founded, and what is the nature of the relations between the two. We may say at once that the available evidence points to the following general conclusions:—

(1) That much of the external trappings of Freemasonry, such as its ritual, its terminology, its legends, etc., are of Jewish origin;

(2) that the philosophy or religion of esoteric Freemasonry (that is of the inner circle and controlling power) is practically identical with the doctrines of the Jewish Cabala, which is the religion or philosophy of a certain section of the Jews;

(3) that a certain group of Jews, probably very few in number, but of immense influence and power, are leading Freemasons; and

(4) that a somewhat larger group of very influential Jews pursue the same ends as Freemasons, and use similar means, and are at least in close alliance with them.

Hence, although the Jewish element in Freemasonry is of predominant importance, and although it may be true that the Masonic Jewish leaders do often exploit for their evil purposes Jewish solidarity and internationalism, and

¹ Thus, an apologist of Freemasonry in the *Irish Times* of April 20, 1928, writes of Amanullah, King of Afghanistan: 'It is not surprising to anyone who knows the craft that he is a Freemason, in view of his Jewish ancestry.'

the age-long antipathy between Judaism and Christianity, one cannot on that account justly accuse or condemn the Jewish people as a whole. Indeed, the facts of the case point to the conclusion that the rank and file of the Jews suffer no less, possibly even more, than the Christians from the unscrupulous and altogether wicked activities of the ruling Masonic junta.

A few words on modern Judaism by way of preliminary explanation will be acceptable to those of our readers who are not familiar with the subject. The two main sources of the religious system of modern Judaism are the Talmud and the Cabala (Kabbalah). The former, which is founded upon the religious and moral teachings of the Pharisees of Our Lord's time, is made up principally of the rabbinical interpretations of the law of Moses, and the traditions that have gathered round it. With the vast majority of modern orthodox Jews the *Talmud* has almost entirely supplanted the Old Testament.¹ B. Lazare, the Jewish apologist, refers to the *Talmud* as 'the creator of the Jewish nation, and the mould of the Jewish soul.'² The *Talmud* has, in fact, been the principal factor in forming the national character of the modern Jewish nation, and of holding the Jews together as one people.

The Talmudic compilation is deeply impregnated with opposition to Christianity.³ In medieval times not only was the *Talmud* strictly forbidden to all Catholics, but the possession of the Talmudic books was regarded, before the Protestant revolt, as a criminal offence in most of the States of Europe.⁴ The most offending and anti-Christian passages of the *Talmud* are, however, apparently omitted in the ordinary English translations and hand-books; and, probably, are unknown to most Jews brought up and

¹ Cf. *Dict. Apolog.*, loc. cit., col. 1687-1694. Also Schurer, *History of the Jewish People in the Time of Jesus Christ*. (Macpherson's translation, Edinburgh, 1905), vol. i. pp. 119-166; vol. ii. pp. 10-13. *Analecta Juris Pontificii*, lière serie, 4ième livre, col. 772 ff.

² *L'Antisemitisme*, p. 293.

³ *Dict. Apol.*, loc. cit. *Analecta*, loc. cit. and 4ième Ser. liv. 35, col. 1417 ff.

⁴ *Ibid.*

educated in these countries, just as the esoteric teachings and real objects of Freemasonry are unknown to the vast majority of those that adhere to the Masonic sect or lend it their support.

The second main source of the religion of modern Judaism, or at least of a certain section of modern Jews, is the Cabala.¹ The term Cabala (Kabbalah) was originally used to indicate that portion of the Mosaic Law which was handed down by tradition, and consigned to writing by the Jewish prophets and others. Since the thirteenth century, however, this ancient use of the term has fallen into desuetude, so that in modern times the Cabala means the collection of the esoteric or occult doctrines of Judaism.² These latter are mainly founded on the Neo-Platonic philosophy and the doctrines of the early Gnostics, and are closely connected with the occult worship of the Eastern sectaries of both ancient and modern times, which have continued since the early ages of the Christian era and even before that period, to infiltrate through the medium of the rabbinical writings into the Jewish religious system. The philosophic and religious teachings of the Cabala illustrate and explain the strong tendency to occultism and false mysticism, which a section of the Jews have always manifested, and which they and the Freemasons have helped so much to propagate in the modern world.

The whole system of occultism, which is so elusive and difficult to define, is sometimes called *Hermeticism*, from *Hermes*, the Greek name of the god of wisdom—partially corresponding to the Latin god Mercury—to whom was ascribed the authorship of the sacred books of Eastern occultism. Hermeticism is commonly taken to include Theosophism, Christian Scientism, Neo-Platonism, Philonic Judaism and Jewish and pagan Cabalism. It is

¹ Cf. *Jewish Encyclopædia*, art. 'Cabala'; also *Dict. Apolog.*, art. 'Kabbalah'; and *Dict. de la Théologie Catholique* (Paris, 1923), art. 'Cabala.'

² The most authoritative work on the Jewish Cabalah is the *Zohar* ('Splendour') or *Sepher La-Zohar* ('The Book of Splendour'). There are two standard editions of the *Zohar*—the Mantua edition (1559) and that of Amsterdam (1805). A French translation by Jean de Paisley was published in 1906-1911 (Librairie Leroux, Paris).

in a large part a revival of the heresies of the Gnostics, Manicheans, Albigenses, Waldenses, etc., and aims at providing the modern European race with some acceptable substitute for Christianity.¹

The evidence of a connexion between Freemasonry and certain aspects of Judaism, refer principally to the Cabala and the Cabalistic section of the Jews. That there exists a close affinity between the Cabala and the doctrine and practices of esoteric Freemasonry is clear from what we have written in a previous article of the nature of the latter. One school of writers indeed maintains that Freemasonry is an instrument invented and utilized by the Jewish leaders for the destruction of Christianity. This view of the case, however, which is at present widely accepted by anti-Jewish writers, and many Catholic apologists,² hardly accords with well-known facts, and is almost certainly false as regards the origin of Freemasonry. For a long time the Jews were excluded from most of the German, English, and French lodges; and up to the end of the eighteenth century the total number of Jewish Freemasons was quite inconsiderable. Again, the assertion that the real founders of German Illuminism and French Martinism, which are the sources of the worst and most destructive elements in Freemasonry, were Jews, has not been and, probably, cannot be proved. Elias Ashmole (1617-1646) the celebrated English antiquarian, and the founder of the Oxford Museum, to whom is probably due the first introduction of Hermeticism into the English Masonic lodges

¹ Cf. *Encyclop. Britt.*, 11th edition, 1911, vol. xiii. p. 371 (a); vol. xiv. p. 330 (b); and vol. xvii. p. 446 (b). The *British Hermetic Society*, founded by Edward Maitland in 1884, has for its object the investigation and propagation of occultism.

² Cf. Gougenot de Mousseaux, *Le Juif la Judaïsme et la Judaïsation des Peuples Chrétiennes*, p. xxxi. 336, 337. Copin-Albancelli, *Le Drame Maçonique, La Conjuration Juive contre le Monde Chrétien* (12th ed., Paris, 1909). *Dict. Apolog.*, art. 'Juifs et Chrétiens,' col. 1667. Again, Mr. H. Belloc writes: 'Specially Jewish Institutions, such as Freemasonry (*which the Jews had inaugurated* as a sort of bridge between themselves and their hosts in the seventeenth century) were particularly strong in Britain; and there arose a political tradition whereby the British State was tacitly accepted by foreign Governments as the official protector of the Jews in other countries.' *The Jews*, p. 21. (The italics are ours.)

in the seventeenth century, long before the formal inauguration of speculative Freemasonry, was not a Jew.¹ Again, it cannot be proved that Weishaupt, or Martinez Pasqualis, or Joseph Balsamo, commonly known as Cagliostro, were Jews, although to these were largely due the Illuminist and Martinist influences in the Freemasonry of the eighteenth century.² Even at the present day it is well-known (although the fact does not prove much) that many Masonic lodges refuse to admit Jews,³ as they fear their dominating influence, and find by experience that Jews, once admitted, soon acquire the mastery of the lodge.

On the other hand, it is certain that the Jewish Cabalistic tradition was one of the principal mediums through which Eastern occultism (which has so many times come to the surface in European history) has been transmitted to modern Europe ; and that many, if not all, of the recognized founders of the eighteenth-century Illuminism (including Weishaupt, Pasqualis, and Cagliostro) were initiated into its secrets by Jewish Cabalists or drew their inspiration and their methods from the Jewish esoteric writings.⁴ The Jewish apologist, Bernard Lazare, states that ‘ there were Cabalistic Jews around the cradle of Freemasonry, as certain rites still in existence conclusively show.’⁵

From Pike’s *Morals and Dogma of Freemasonry*, which we have already referred to as one of the most authoritative works on Masonic teaching, it is clear that the doctrines of esoteric Freemasonry, on such subjects as the nature of God, and his supposed identity with the universe, the nature of the human soul, the true interpretation of the Bible, etc., are quite identical with the expositions of

¹ Cf. *Dict. Apolog.*, loc. cit., col. 99. For Ashmole’s connexion with Freemasonry, cf. Webster, *Sec. Societies*, pp. 102 and 120.

² Cf. Webster, *Sec. Soc. and Subversive Movements*. Pasqualis is generally set down as a Jew of Portugal. But some writers deny that he was a Jew.

³ This is true, for instance, of the Grand Lodge of Prussia, and the so-called ‘Christian’ lodges affiliated to it.

⁴ Cf. *Dict. Apolog.*, loc. cit., col. 99; Webster, *Secret Societies, etc.*, chaps. vii. and ix.

⁵ *L’Antisemitisme*, p. 339.

these subjects contained in the Jewish Cabala.¹ The authoritative works of Ragon, 'the sacred author' of Masonry, who was himself a Jew, illustrate the same theme. So do many other Jewish writings.

Are we to wonder [writes the pious Jewish rabbin, Benamozegh] that Judaism has been accused of forming a branch of Freemasonry? It is quite certain that Masonic theology is at root nothing else than Theosophy, and that it corresponds to the theology of the Cabala. Besides, a deep study of the rabbinical monuments of the early ages of the Christian era supply numerous proofs that the *aggada* was the popular form of an esoteric science, which presents, in its methods of initiation, the most striking resemblance to the Masonic system. Those willing to go to the trouble of carefully examining the question of the relations between Judaism and philosophic Freemasonry, Theosophy, and occultism in general, will, we are convinced, lose their superb disdain for the Cabala. They will no longer smile in pity at the suggestion that the Cabalistic theology may have a rôle to play in the religious transformation of the future.²

Besides the existence of the Cabalistic element in Masonic morals and dogma there are numerous other indications which point to the important influence of Judaism on the early formation and development of Freemasonry. We mention a few. The Masonic coat-of-arms still used by the Grand Lodge of England is of Jewish design. Some of the more important legends of Freemasonry, especially the Legend of Hiram, on which much of Masonic rite is founded, are Jewish. 'The technical language, symbolism, and rites of Masonry are full of Jewish ideas and terms. . . . In the Scottish rite, the dates of all the official documents are given according to the Hebrew month and the Jewish era; and use is made of the older forms of the Jewish alphabet.'³ Hence, approved Jewish writers

¹ Cf. Preuss, *American Freemasonry*. See index 'Kabbalah' and 'Kabbalists.' Also *Dict. Apolog.*, loc. cit., col. 126.

² Benamozegh, *Israel et l'Humanité*, p. 71, quoted in *Les Victoires d'Israel*, par Roger Lambelin (Paris, 1928), p. 212. This latter work treats, amongst other things, of the emancipation of the Jews as a consequence of the French Revolution, and the rapid conquests they have since achieved over the Christian organization of society in France, Russia, Poland, etc. One chapter (Chap. vii.) is devoted to the subject of anti-Christian propaganda by means of the Press, the theatre, fiction and romance, the operations of high finance, diplomacy, and international politics, the League of Nations, etc. The book is well documented.

³ *Jewish Encyclopaedia*, vol. v., p. 503, art. 'Freemasonry.'

generally recognize that the Masonic ritual is of Jewish origin.

Although during the eighteenth century the number of Jews in the Masonic lodges were few, the prejudice against them was lessened or eliminated as a result of the movement towards Jewish emancipation, which was itself largely due to Liberal and Masonic influences; and since the middle of the nineteenth century the Cabalistic Jewish element has become predominant at least in Continental Freemasonry. Thus, while Jews are still excluded from the so-called 'Christian' lodges of Germany, the influence of the latter is now overshadowed by those lodges which admit Jews, and in which the Jewish element more or less prevails. Even in 1900 there were at least 800 such lodges in the German Empire exclusive of the B'ne Berith lodges, which are entirely Jewish. So marked, indeed, is the dominance of the Jewish element in German Freemasonry that the Masonic Journal *Latonia* (February, 1928) quotes a saying of Ludendorf: 'The Freemasons are the henchmen of the Jews.'¹

It was Jews that introduced Freemasonry into the United States of America; and Jews have always been a powerful influence in the American Masonic organizations.² Again, the Masonic rite of Mizraim which includes no less than ninety degrees and is, perhaps, the most esoteric and highly elaborated of all the Masonic rites,³ has been founded by Jews. So also has been the order of *B'ne Berith* ('Sons of the Alliance'), and several other organizations of a similar type.⁴ The Masonic rite of Mizraim belongs mainly to Europe, and some of its lodges are exclusively Jewish. The order of B'ne Berith, which is altogether Jewish, is (or rather was up to some twenty years ago) mainly American, and if not formally and professedly Masonic, bears a striking resemblance to Freemasonry, in its

¹ Cf. *Rev. Intern. des Soc. Sec.* May 6, 1928.

² Cf. Jouin, *Les Fidèles de la Contre-Eglise Maçons*, pp. 37-45, where full documentation is given.

³ Cf. Benoit, *La Franc-Maçonnerie* (Paris, 1895), vol. ii. pp. 326-330.

⁴ Cf. *Fede e Ragione* (Fiesole) January 30, 1921, p. 6 ff. for a detailed account of these organizations.

organization and avowed objects, and is in intimate alliance with Masonry.¹

The indications of a close connexion or working alliance between Freemasonry and important sections of the Jews are innumerable.

Masonry [writes the *Jewish Chronicle* (October 29, 1889)] tolerates everything except a narrow clericalism [viz., Catholicism] and it possesses a special attraction for the Jews. . . . Clericalism has always persecuted Masonry everywhere it can . . . and the spirit of persecution has attracted the Jews towards Masonry by an invisible but potent bond of sympathy. There exists between them a natural alliance against a common enemy. . . . Together they fight, oftentimes with success, against religious fanaticism and racial antipathies. In London there are no less than five Jewish lodges. There are some also at Birmingham, Liverpool and Manchester.²

It is nearly half a century ago since a well-known British review called attention to the dominant influence of the Jews, not only in politics, the press, and international finance, but also in the revolutionary outbreaks of the century.

The influence of the Jews at the present time is more noticeable than ever. That they are at the head of European capitalism, we are all aware. . . . In politics many of the Jews are in the front rank. . . . That their excessive wealth, used as it has been, acts as a solvent influence in modern society cannot be questioned. . . . But while on the one hand the Jews are thus beyond dispute the leaders of the plutocracy of Europe . . . another section of the same race form the leaders of that revolutionary propaganda which is making way against that very capitalist class, representing their own fellow Jews. Jews, more than any other men . . . are acting as the leaders in the revolutionary movement which I have endeavoured to trace.³

We have already shown, and it is generally admitted, that the revolutionary outbreaks of the nineteenth century, which are here attributed to Jewish influence, were largely the work of Freemasonry.⁴ That international

¹ Cf. *Les Fidèles de la Contre-Eglise Maçons*, pp. 76 ff. for proofs, with full documentation. In the German Masonic review *Latonia*, February 28, 1928, the lodges of B'ne Berith are explicitly referred to as Masonic lodges. In fact they are supposed to be the controlling power in German Freemasonry.

² Quoted, *ibid.*, p. 77, 78.

³ *Nineteenth Century*, January, 1881, pp. 10, 11, art. by H. M. Hyndman, entitled 'The Dawn of a Revolutionary Epoch.'

⁴ Cf. on this subject, Deschamps; *op. cit.* (*passim*).

finance is also largely dominated by Freemasonry is also generally admitted.

Forty years previously, Disraeli, himself of the Jewish race, and an enthusiastic admirer of the Jews, called attention in an oft-quoted passage to the dominant but hidden influence of the Jews in the political and economic life of Europe:—

That mysterious Russian diplomacy which so alarms Western Europe is organized and principally carried on by Jews: that mighty revolution which is at this moment preparing in Germany, which will be in fact a second and greater Reformation, and of which so little is yet known in England, is entirely developing under the auspices of the Jews, who almost monopolize the professorial chairs in Germany. . . . I hear of peace and war in the newspapers, but I am never alarmed, except when I am informed that the sovereigns want treasure: then I know that monarchs are serious. A few years ago we [viz., a Jewish family of financiers, in whose name he speaks] were applied to by Russia. . . . I resolved to go myself to St. Petersburg. I had an interview with the Russian Minister of Finance, Count Cancrin. I beheld the son of a Lithuanian Jew. . . . I resolved on repairing to Spain from Russia. I had an audience with the Spanish Minister, Senor Mendezabel: I beheld one like myself, the son of a Nuovo-Christiano, a Jew of Aragon. . . . I went straight to Paris to consult the President of the French Council: I beheld the son of a French Jew. 'And is Soult a Hebrew?' 'Yes! and several of the French Marshals—Massena, for example.' The President of the French Council made an application to the Prussian Minister. . . . Count Arnim entered the Cabinet, and I beheld a Prussian Jew. So you see, my dear Coningsby, that the world is governed by very different personages to what is imagined by those who are not behind the scenes.¹

That the hidden influences (which Disraeli here connects with Jews) dominating the Liberal governments of Europe during the last century were also closely allied with Freemasonry we have already shown, and is now commonly admitted.²

Gougenot de Mousseaux, in a remarkable study upon this question, published nearly sixty years ago, collects a large number of facts pointing to the close connexion of

¹ *Coningsby*, London, 1844, pp. 183-184.

² Four years after the publication of *Coningsby*, the year 1848, Disraeli is quoted as saying that 'nearly all the Secret Societies have a Jew at the head.' Cf. *L'Histoire et les Histoires*, p. 98, par Mgr. Landrieux, Bishop of Dijon (Paris, 1921).

the inner and controlling elements of Freemasonry with certain sections of Judaism. He thus summarizes his conclusions :—

The real chiefs of this immense association of Freemasonry (the few within the innermost circles of initiation), who must not be confounded with the nominal leaders or figure-heads, are mostly Jews, and live in close and intimate alliance with the militant members of Judaism, those, namely, who are the leaders of the Cabalistic section. This *élite* of the Masonic association, these real chiefs, who are known to so few even of the initiated, and whom even these few know only under assumed names [*noms de guerre*] carry on their activities in secret dependence, (which they find very lucrative for themselves) upon the Cabalistic Jews.¹

The same writer brings forward evidence of the existence in Germany, Italy, and London, of supreme lodges of this type, controlled by a Jewish majority, and quite unknown to the general body of Freemasons. He mentions two supreme lodges in London which none but Jews are allowed to enter, and in which the different threads of the contemporary revolutionary conspiracies, which were elaborated in the outer lodges, were brought together and coordinated; and another lodge, at Rome, also exclusively Jewish, which, he says, was the supreme tribunal of the revolution against the Papal power.

The leading part played by Jews in the activities of the French Grand Orient is universally recognized, and is acknowledged by the Jews themselves. Thus, we read in the *Jewish Encyclopaedia* :—

Jews have been most conspicuous in connexion with Freemasonry in France since the Revolution.²

Progress [writes a French Jewish apologist] is the true Messiah, whose near advent she [Judaism] proclaims with all her hosannahs. . . . The [French] Revolution was its introduction, our doctrine of human rights its manifesto, and its signal was given to the world, when, at the approach of our *Tricolour*, the barriers of caste and the walls of the Ghetto fell to the ground. . . . The emancipated Jew takes pride in working for its realization . . . assailing superannuated hierarchies, battling with prejudices . . . struggling to pave the way for future revolution.³

The national aims and ideals here attributed to—although they belong, probably, only to a comparatively small

¹ *Le Juif, la Judaïsme, et la Judaïsation des Peuples Chrétiens* (Paris, 1869), p. 340.

² *Loc. cit.*

³ Leroy-Beaulieu, *op. cit.*, pp. 296-297.

section of—the Jewish nation, are practically identical with those of Freemasonry. Hence, an international Jewish synod held at Leipsic, 1869, passed the following resolution :

This Synod recognizes that the development and realization of *modern ideas* are the surest guarantee in favour of the Jewish race for the present and future.¹

It seems clear that the ‘modern ideas’ here referred to are those of un-Christian Liberalism, of which Freemasonry has been the protagonist for the past two centuries.

The professed objects of the *Universal Israelite Alliance*, founded in 1860 (whose headquarters are in Paris,² and which is probably the most influential and most representative body of the Jewish nation), are similar to the professed aims of Freemasonry. These objects are thus summarized by its founder, the Jew, Adolphe Cremieux, who for many years held the position of Grand Master of the Supreme Council of the Ancient Scottish Rite of Freemasonry :—

The Universal Israelite Alliance . . . addresses itself to every type of worship. It wishes to interpenetrate all religions, as it has found access to all countries. . . . Let all men of enlightenment, without distinction of sect, find a means of union in the Universal Israelite Association, whose aims are so noble, so broad, and so highly civilizing. . . . To reach out a friendly hand to all who, although born in a different worship from ours, offer us the hand of fellowship, acknowledging that all religions which are based on morality and acknowledge God ought to be friendly towards one another : thus *to destroy the barriers separating what is destined one day to be united*—that is the grand and supreme object of our Alliance. . . . I summon to our Association our brethren of every form of worship. Let them come to us . . . Our grand mission is to put the Jewish population in touch with the authorities in every country . . . to make our voices heard in the cabinets of ministers and in the ears of princes, whatever be the religion that is despised, persecuted, or attacked.³

The striking similarity between this programme and the religious ideals of Freemasonry (humanitarianism, cosmopolitanism, and non-sectarianism, or religious indifference) needs no elaboration.

¹ Quoted in Deschamps, op. cit. vol. iii. p. 25.

² For a list of the central governing committee of the Universal Israelite Alliance, cf. *The Jews' Who's Who* (published at 64 Oxford Street, London, W., 1921.)

³ *Archives Israelites Universelles*, tom. xxv. p. 511-520 (1861). Quoted in Deschamps, loc. cit., p. 24.

Hence Père Deschamps writes, apropos of the present question :—

Judaism itself is a kind of Freemasonry, owing to the national solidarity of the Jews, their cosmopolitanism, which sets the Jews free from all local and patriotic ties, and finally, the opposition of the Jews to Christianity.¹

On the same subject M. Doinel, at one time member of the Council of the Grand Orient, who in recent years has become a Catholic, writes :—

How often have I heard the Freemasons lament the dominance of the Jews. . . . Ever since the Revolution the Jews have taken possession of the Masonic lodges more and more completely : and their dominance is now unquestioned. The Cabala rules as mistress in the inner lodges : and the Jewish spirit dominates the lower grades. . . . In the mind of Satan the synagogue has an all important part to play. . . . The great enemy counts on the Jews to govern Masonry as he counts on Masonry to destroy the Church of Jesus Christ.²

It is in fact only the Cabalistic elements in Freemasonry that can account adequately for its envenomed and aggressive opposition to the true Church, and its never-flagging efforts for the undermining and destruction of the Christian organization of society.³

This intimate connexion between the two powers [Freemasonry and Cabalistic Judaism] [writes R. Lambelin] is becoming so evident that there is no longer any attempt made to deny it. The Jewish lodges of B'ne Berith, which originated in the English-speaking countries, have swarmed all over Europe, and even into Asia ; and they assume the leadership of control in the whole Masonic organization. Under cover of Theosophy a new religion, which is specifically Jewish, though enveloped in a nebulous mist that obscures its character, is bidding fair to take the place of the traditional Christian belief which it flatters, and insensibly destroys.⁴

Finally, the history of the Jews of Europe during the past three or four centuries is suggestive in this connection. The emancipation of the Jews and the unprecedented growth of the influence and power of the great Jewish financiers have synchronized with the rise and growth of the Masonic movement of the past two centuries.

¹ Op. cit. vol. iii. p. 24.

² L'Abbé Emmanuel Barbier, *Infiltrations Maçoniques*, quoted in *Dict. Apolog.*, art. 'Franc-Maçonnerie,' col. 99.

³ Cf. Mgr. Dillon, *The War of Anti-Christ with the Church* (Dublin, 1885), p. 20.

⁴ *Les Victoires d'Israel*, pp. 211-212.

Up to the sixteenth century the Jews were excluded from practically all the Christian States of Europe. With the rise of Humanism, however, in the fifteenth century, and the accentuation of the other causes that finally led to the break up of Christendom, the Jews managed to improve their position. They gradually gained readmittance, sometimes covert, sometimes openly avowed, into most of the countries from which they had been excluded. But although they were allowed to live under the protection of the laws, they were not accorded full civic rights in any of the Christian States. They engaged in trade and carried on usury, by means of which they frequently acquired immense wealth. But they were not permitted to hold public offices, and were treated as aliens. They lived usually in ghettos, apart from the Christian community.

After the Protestant revolt, and especially under the influence of the Calvinistic sections of Protestantism, such as the Huguenots in France, the Puritans in Britain, and the Dutch and Swiss Calvinists, the position of the Jews gradually improved more and more. Finally, with the rise of the Liberalism of the eighteenth century, which was fostered and promoted by Masonic influence, the Jews were accorded full rights of citizenship, first in France and then, owing to the expansion of the French Napoleonic Empire, in nearly every country of Europe and America.¹ In France the Jews were enfranchised in 1791 at the instance of the Jacobins, the most aggressive and militant of the anti-Christian Masonic organizations of that time.² Ever since that time, with the exception, perhaps, of the early Napoleonic period, the Masonic Jews and the Masonic societies have dominated the public life of France, whose anti-clericalism, secularism, and divorce-laws have mostly

¹ It was Oliver Cromwell that readmitted the Jews into England in the 17th century. Although Luther and most of the first Protestant leaders were bitterly hostile to the Jews, as was Voltaire, two centuries later, it is true, nevertheless, that the growth of the financial and political power of the Cabalistic Jews in modern times is mainly due to the movements of which Luther and Voltaire were the standard-bearers.

² Cf. Abbé Barruel, *Memoires sur le Jacobinisme*.

been inspired from that source.¹ Roumania, where the Jews did not possess the full rights of citizenship, and were precluded from acquiring property in land was forced by Bismarck (author of the *Kulturcamp*, and closely identified with Freemasonry of the most extreme type) at the Congress of Berlin (1878) to grant them full civic rights.² At the Peace of Paris (1918-1919) Poland was forced, in the same way, to grant such privileges to the Jews living within her borders as almost to constitute the Jewish colony a kind of State within the State.³ At the same Congress the Jewish leaders were accorded practical control of Palestine as a quasi-independent or incipient Jewish State under the protection of Britain. To-day Jewish financial and political power is especially felt in the countries which have fallen most completely under the influence of Freemasonry and un-Christian Liberalism, such as the United States of America, England, France, Germany, Russia, Roumania, etc.

Hence it is, that by many Catholic writers on present-day Freemasonry and its anti-Christian activities the term *Judaeo-Masonic* is frequently applied, as it has sometimes been by the present writer, to indicate the dominant influence of the Cabalistic section of the Jews in the worldwide movement against the Catholic Church. The term, of course, refers only to Masonic Jews; and does not imply any indictment against the Jewish nation as a whole. How far its use is justified the reader must judge for himself.

E. CAHILL, S.J.

[To be concluded.]

¹ Cf. Belloc, op. cit. chap. ix. Lambelin, op. cit. chap. iv.-v.

² Cf. Deschamps, op. cit. vol. ii. p. 416. Quite recently (in the year 1928) a memorandum has been published on the Jewish question in Roumania which is signed by several university professors and leaders of the Roumanian nationalist party. It contains very striking statistics, showing how the land, the industries, even the professorial chairs in the universities, are now owned or occupied by Jews. The tale told is in fact the story of the expropriation of a people by the peaceful penetration of an alien element (cf. *Rev. Intern. des. Soc. Sec.*, May 6, 1928).

³ Cf. *The Tribune* (Rome) of August 28, 1927, for an important article on 'Masonic Activity in Bulgaria,' which, according to the writer, is directed and controlled by the Cabalistic lodges, some of which are exclusively Jewish, and all include a strong Jewish element. The Jewish lodges are those of the B'ne Berith already referred to.

THE IMAGERY IN THE CALENDAR OF OENGUS

BY REV. G. O'NOLAN, M.A., D.Litt.

THIS long religious poem, of 2,370 lines, was first published in 1880, being Vol. I. of the Irish Manuscript Series, in the *Transactions of the Royal Irish Academy*. It is attributed to Oengus the Culdee (Céile Dé) who flourished about the beginning of the ninth century; but none of the manuscripts from which it was printed are earlier—or much earlier—than the year 1400. Linguistic reasons led the late Dr. Whitley Stokes to the conclusion that the Calendar could not have been composed much before the end of the tenth century, so that the authorship of Oengus the Culdee seems at least very doubtful.

The poem consists of a Prologue of eighty-five quatrains (340 lines); this is followed by the Calendar itself, 366 quatrains, one for every day in the year (1,464 lines); then comes the Epilogue, 141 quatrains, with two extra lines, making in all 566 lines.

The whole poem is written in the syllabic metre known as *Rionnaird*, of which the following quatrain may serve as a fair specimen:—

Mani tuicce samlid
ord fil for ar lóidib,
not-dlomaim fiad dálaib
it dallchéilliu dóinib (Prol. 313-316).

‘If you do not understand so the order of our lays, I declare before assemblies that you are more dull-witted than (other) people.’

In many quatrains there is also internal rhyme between the final word of v. 3, and the first or second stressed word of v. 4, e.g.:—

romberthar buaid *lére*
a rí *gréne* gile (Prol. 3-4).

‘May the guerdon of devotion be given to me, O King of the white sun.’

conamraib each *solad*
ar *molad* dot rígraid (Prol. 11, 12).

‘May every solace be mine for my praise of Thy Kings.’

As two, three, or four saints are often commemorated on the same day, the entries are necessarily meagre, and there is not much scope for poetry of a high order. But Stokes' criticism (page 17) seems a little bit unfair. He says :—

‘It must be confessed that in all this long poem there is not a trace of imaginative power or of observation of nature. . . . Substance is ruthlessly sacrificed to form, and the observance of the rigorous rules of metre seems regarded as an end in itself.’

We must remember that the Calendar is a religious poem, and the author, whoever he was, was steeped in the vivid faith and the warm piety of the Irish. Judging from the whole tone of his language the composition of the Calendar must have been to him an act of religion at least as much as an exercise in verse. As to the exigencies of the metre, the highly-trained craftsmen of those days must have found it much easier than it appears to us, and certainly the rules, however rigorous, seem to have hampered our author's expression but little. Having regard to the shortness of the six-syllabled lines, and of the stanzas, the wealth of imagery displayed is, in our judgment, nothing short of remarkable. The following quotations will serve to illustrate the point :—

I.—*The Sun.*

(a) Christ is addressed : a rí gréne gile (Prol. 4)—O King of the white sun.

(b) St. Maelruain is described as : grian mór desmuig mide (Prol. 225)—a great sun in Meath's south plain.

(c) St. Ciar : ba cáingrian, greit nua (January 5)—was a fair sun, a fresh champion.

(d) St. Ita : in grian bán ban Muman (January 15)—the white sun of Munster's women.

(e) St. Cronan : grian gel glaisse máire (February 10)—white sun of Glais Mór.

(f) St. Germanus : german grian ar sruithe (May 23)—Germanus, sun of our seniors.

(g) in grian án uas tuathaib (June 17)—the splendid sun over territories.

(h) Cáingrian gallicanus (June 26)—Gallicanus, a fair sun.

(i) grian gel glinne huissen (July 8)—bright sun of Glen Uissen.

(j) grian án indse goedel (July 7)—splendid sun of the isle of the Gael.

(*k*) bamór grian don talmain (July 27)—a great sun was he to the earth.

(*l*) longarod grian álaib (September 3)—Longarad, a delightful sun.

(*m*) líth germain grian cétal (October 1)—the festival of German—a sun of songs!

(*n*) candida grian sona (October 3)—Candida, a happy sun!

(*o*) dígréin oirthir liffe (December 9)—two suns of the east of Liffey.

(*p*) cáingrian goires míli (December 26)—fair sun that warms thousands (St. Stephen).

II.—*The Sea ; Boats ; Pilot.*

(*a*) attásom for tuiliu (Prol. 124)—(Paul's name) is aflowing (like a tide).

(*b*) balce lés ler dar dóe (St. Failbe)—a strong light over a rampart of seas.

(*c*) Ronain pilip apstal, as aidbliu cech trethan (April 22)—may Philip the Apostle protect us, who is vaster than every sea.

(*d*) án breo uas tuinn trilis (April 23)—a splendid flame over a sparkling wave.

(*e*) foroenlíth ler suthain (May 14)—on one festival—an eternal sea!

(*f*) ard ainm tar tuind trethan (St. Kevin, June 3)—a high name over the sea's wave.

(*g*) Torannán buan bannach, dar ler lethan longach (June 12)—Torannán, lasting, deedful, over a wide, shipful sea!

(*h*) foroenlíth ler slugach (June 14)—on one festival—a hostful sea!

(*i*) ata móρθruim trethain (June 27)—whose seas are very heavy.

(*j*) cocléir cáin nadaithbi (August 12)—with a fair train that ebbs not. [¶]

(*k*) Mór líth línas crícha, crothas longa luatha (September 9)—a great solemnity that filleth the borders, that shaketh swift ships!

(*l*) foroenlíth ler mbuadae (October 30)—on one festival—a sea of victories!

(*m*) Candida cáin curach (December 1)—Candida, a fair boat!

(*n*) luam liss móir mírbuil (December 3)—Pilot of marvellous Lismore.

(*o*) ammuir brígach buan-sain (Ep. 30)—that sea, mighty, eternal (of the numbers of the saved.)

(*p*) olis loimm de romuir (Ep. 42)—for it is 'a sip from a great sea.' (In reference to the comparatively small number of the saints commemorated in the Calendar.)

III.—*Flame ; Gold.*

(*a*) Babailh bruth óir orlán (January 24)—Babylas, an abundant, glowing mass of gold.

(*b*) Prímnda breo nad aithbi (April 15)—an excellent flame that wanes not.

(*c*) Laisrén lassar buadach (April 18)—Laisrén, flame victorious!

(*d*) án breo uas tuinn trilis (April 23)—a splendid flame over a sparkling wave!

(e) án breo combruth bríge (June 2)—a splendid flame with ardour of might!

(f) án breo combruth aithre fintan firór promtha (October 21)—a splendid flame with the Fathers' fervour, Fintan true, gold-proven!

(g) Banbán bruth óir óiblech (November 26)—Banbán, a sparkling, glowing mass of gold!

IV.—*Colour ; Light.*

(a) Lucius lés lainrech (March 4)—Lucius, a lucid light!

(b) ananmann itgela, trebroenan a fola (May 19)—their souls are white through the rain of their blood!

(c) imbitibi lés laindrech (June 9)—wherein is ever a lucid light!

(d) Columcille caindlech (June 9)—Colmcille the lustrous!

(e) gabais buaid gel glaine (July 6)—she gained a bright victory of purity.

(f) in míl slisgel sluagach (September 29)—the white-sided, hostful soldier! (St. Michael, Archangel).

(g) Máire lóchet laindrech (November 22)—O Mary, she (St. Cecilia) was a shining light!

(h) cenn find fáithe n-érenn (November 29)—white head of Ireland's prophets (Brennan of Birr).

V.—*Death and Heaven.*

(a) diatuarcaib fri h-ílchu grian illuc dub dorchu (March 9)—for whom arose with paeans a sun in a dismal, dark place!

(b) Cechaing céim as dírgu (March 20)—he went a step that is straightest!

(c) scorsit cenchuit fainne for dinn flatha nime (May 17)—they unyoked without a whit of weakness on a height of Heaven's Kingdom!

(d) rug suas saithi snámach (August 6)—bore up a buoyant troop (swarm)!

(e) frisrocaib neam n-uasal (October 24)—he ascended to high Heaven!

(f) adreth riched rúnach dúnad adriani (November 6)—Adrian's host ran to mysterious Heaven!

(g) martra mórsus dorus (January 30)—a door of martyrdom magnified them!

(h) isossad n-ard n-óiblech (September 21)—into a high, sparkling station!

Or,—issansid n-ard n-óiblech—into the high, sparkling peace!

(i) ráncatar treib tóidlig (Prol. 78)—they have reached a radiant homestead!

(j) adreth riched réde (Prol. 120)—hath reached a kingdom of smoothness!

VI.—*Rampart ; Rock ; Fortress.*

(a) inmain a dún daingean (Prol. 130)—delightful is her strong fortress (B.V.M.).

(b) iulian all nglaine (January 6)—Julianus, rock of purity!

(c) ropmúr ar cech meirblén (January 24)—may he (Babylas) be a wall against every weak woe!

(d) coríg nél noeb ndóe (August 27)—to the holy rampart of the King of clouds!

(e) Máire múr cotailei (September 15)—Mary, a rampart with strength!

(f) in grian geal colígdath. Matha múr trén tóidlech (September 21)—the sun white with beauty, Matthaëus strong, shining rampart!

(g) Is múr trén cen dolmai fri dóine, fri demnae (Ep. 151-2)—It (the Calendar) is a strong rampart without slowness, against men, against demons!

VII.—*Diadem.*

(a) Scoithíne mind mairge (January 2)—Scoithíne, diadem of Marge!

(b) Momoedóc mind n-Alban (March 23)—My-Maedóc, diadem of Alba!

(c) Modomnóc mind buadach (May 18)—My-Domnóc, a victorious diadem!

(d) Máire mind cech dùnaid (July 22)—Mary (Magdàlen) diadem of every host!

(e) Momoedóc mind goidel (August 13)—My-Moedóc, diadem of the Gael!

(f) Matha mind cech ríge (October 22)—Matthew, diadem of every kingdom!

VIII.—*Pillar.*

(a) Locha uair ard áge (February 7)—High pillar of Lough Uair!

(b) inmain áge huage (May 25)—a loveable pillar of virginity!

(c) Benedicht balce áge (July 11)—Benedict, a strong pillar.

(d) fortniada ard áge (July 31)—a high pillar closes it (St. Colman—July).

IX.—*Bush.*

(The Saints are pictured as spiritual growths, giving forth fruits of virtue).

(a) Abbán doss óir ainglech (March 16)—Abban, angelic bush of gold!

(b) ba cáin doss conuaigi (April 6)—was a beautiful bush with virginity!

(c) in doss óir uas crichaib (June 17)—the bush of gold over borders!

(d) doss órdae conglaine (Ep. 250)—a golden bush with purity! (St. Stephen).

X.—*Tower.*

(a) bamór tuir athempuil (April 8)—he was his temple's great tower!

(b) teophil tor óir ainglech (July 28)—Theophilus, angelic tower of gold!

(c) Tor óir uas cech lermuir (December 12)—a tower of gold over every ocean-sea (Findia of Clonard).

XI.—*Lamp.*

(a) Lommán lócharn bríge (February 7)—Lommán, lamp of vigour!

(b) ruadán lócharn lothrai (April 15)—Ruadán, lamp of Lothra!

(c) gin lócharna lethan (April 22)—wide mouth of a lamp!

XII.—*Vine.*

(The Saints are workers in the vineyard of the Lord.)

(a) ba cáin doss conuaigi. Hi fiadit find fine (April 6)—was a beautiful bush with virginity, a fair vine in God!

(b) fintan find frém fine (October 10)—Fintan the fair—a vine's root!

(c) Faelan coméit meithle (October 31)—Faelán, protection of reapers!

(May it not rather mean: F. with abundance of (other) workers (in the Lord's vineyard)? The alliteration *méit meithle* makes this very likely.)

XIII.—*Heights.*

(a) batir érend arda (January 25)—they were heights in Ireland.

(b) sliab óir iarthair domain (November 11)—golden mount of the West of the world!

XIV.—*Miscellaneous Imagery.*

(1) *Stream*: asambrucht srúaim soais (April 4)—out of whom burst a stream of knowledge.

(2) *Gem*: Ba cáin lia luagmar (April 15)—fair was the precious stone.

(3) *Graveyard* :—

(a) La Carissa ríгда assaruamda relice (April 16)—with royal Carissima whose graveyard is roomy (?)

(b) mórais relice lechtaig (July 21)—magnified a grave-abounding cemetery.

(4) *Noise* :—

(a) Hisid flaith in alltair imbí tairm cech tempuil (May 10)—into the peace-Kingdom of the other world, wherein is every temple's noise.

(b) nistarea deilm catha feil for bruindib betha (June 29)—the noise of battle which is on the world's breasts surpasseth it not (Martyrdom of SS. Peter and Paul).

(5) *Psalm* :—

Sillan salm gach lobair (September 11)—Sillan, the psalm of every sick man.

(6) *Wisdom* :—

hifudomain ecnai (May 30)—in a deep of wisdom.

(7) *Head* :—

(a) cend caid caillech n-érenn (February 1)—holy head of Ireland's Nuns (St. Brigid).

(b) Táthut cend chét míle declan arde máre (July 24)—thou hast the head of 100,000—Declan of Ardmore.

(8) *Bathing* :—

ar seire rí g rocharsat inafuil fot(h)ruicset (May 8)—for the sake of the King they loved they bathed in their blood.

(9) *Wheat* :—

(*quia sancti triticum Dei sunt*, Rawl. 505) :—mórdrem de de thurinn (May 21)—a great company of divine wheat.

(10) *Crucifixion of the flesh* :—

cruimther crochtha tuile (April 20)—a priest who crucified desire.

(11) *Military* :—

(a) Ailli géill conglaini (January 9)—beautiful *hostages* with purity.

(b) Milit caid cáin cathbarr (January 10)—chaste Miletus, a fair *helmet*.

(c) sab indarba demna (October 17)—strong *expeller* of demons.

(d) diambalúirech lére (Ep. 78)—unto whom it is a *corselet* of piety (the Calendar, to the ignorant).

(12) *Clouds* :—

án n-ainm nél co h-imbel (February 16)—a splendid name, as far as the clouds' rim (St. Juliana).

(13) *Manna* :—

cáin glanmand dé dúilig (December 19)—the fair pure manna of elemental God (St. Samthann).

(14) *Reputation* :—

aslondud cech gena (October 3)—declaration of every mouth.

(15) *Vessel* :—

allíglatha lestur (Ep. 22)—in the |beautiful |kingdom's vessel.

(16) *Bordgal*. (A *bordgal* is a reedy water-run where fish are caught and kept. Metaphorically, the fish are the faithful) :—

(a) It bordgala míle (Prol. 71)—they are *bordgals* of thousands.

(b) bendacht cacha bordgail forthordan a Íssu (Prol. 275)—the blessing of every *bordgal* on thy sovereignty, O Jesus!

(c) Slánchodlad iohannis in ephis—án bordgal (December 27)—the sound sleep of John in Ephesus—splendid *bordgal*!

(d) doformaig cech mbordgal (Ep. 206)—it extends every *bordgal*.

(e) impetar—án bordgal (Ep. 254) around Peter—a splendid *bordgal*!

We leave it to any competent judge to say, after reading the above extracts, whether it is fair to assert that the author shows 'not a trace of imaginative power or of observation of nature.' To say that much of our poet's imagery

is reminiscent of Holy Writ is surely no disparagement of the fitness and beauty of his language. The following quotations taken almost at random from various parts of the Sacred Scriptures will show that the Calendar is rich in Biblical terminology :—

Bush : And he shall be like a tree which is planted near the running water which shall bring forth its fruit in due season (Psalm i. 3).

Diadem : O Lord thou hast crowned us, as with a shield of thy goodwill (Psalm v. 13). Thou hast crowned him with glory and honour (Psalm viii. 6). . . . a crown of beauty (Wisdom v. 17).

Lamp : For thou lightest my lamp, O God (Psalm xvii. 29). For her light cannot be put out (Wisdom vii. 10).

Noise : *Noise* : Their sound hath gone forth into all the earth (Psalm xviii. 5.).

Pillar : And the Lord went before them to show the way by day in a pillar of cloud, and by night in a pillar of fire (Exod. xiii. 21).

Gold : As gold in the furnace he hath proved them (Wisdom iii. 6).

Sun : And the sun of understanding hath not risen upon us (Wisdom v. 6). Then shall the just shine as the sun (Matthew xiii. 43). For she (wisdom) is more beautiful than the sun (Wisdom vii. 29).

Ship : As a ship that passeth through the waves (Wisdom v. 10).

Military : He will put on justice as a breastplate, and will take true judgment instead of a helmet (Wisdom v. 19).

The Calendar of Oengus—the longest relic that we have of old Irish poetry—is well worth reading, not only for the sake of the subject-matter, but for the study of the metre. As the author naïvely remarks :

Cit síúde notlégat
atalethna linde,
fil and mór n-ard náille
frismelat a rinde (Ep. 81-84)—

‘Though they be sages that read it whose wisdoms are great, there are in it delightful alliterations that give point to its melodies.’

GEARÓID Ó NUALLÁIN.

NOTES AND QUERIES

THEOLOGY

THE TIME OF DAY AT WHICH MARRIAGE MAY BE CELEBRATED

REV. DEAR SIR,—We have in this diocese a law that all marriages must be celebrated in the morning, and with Nuptial Mass. That is a very desirable regulation. At the same time I venture to inquire if it could be strictly enforced in all cases. My reason for doubting is derived from a Canon of the Code which says that ‘marriage may be contracted at any time of the year’ (Canon 1108). Is there not a rule of law that a right expressly granted by the general law cannot be taken away by a particular law? When the canon says: ‘at any time of the year’ it appears reasonable to assume that it does not exclude ‘any time of the day.’ A reply at your convenience will oblige.

CURIOUS.

The general law referred to by ‘Curious’ as possibly nullifying the diocesan law is that contained in Canon 6, n. 1: ‘All laws, whether universal or particular, which are opposed to the prescriptions of this Code, are abrogated, unless for particular laws express provision to the contrary is made.’ His own statement is a correct inference from it, viz., that a right conferred by the general law in express terms may not be taken away by a particular law.

It is to be noted in the first place that, whereas the general law permits marriage to be celebrated at any time of the year, the same general law imposes at least one restriction. Unless for a reasonable cause, the parish priest may not assist at a marriage until three days after the last proclamation of the banns (Canon 1030, § 1). Secondly, if the solemn nuptial blessing is to be given at the marriage, it is required by the very nature of the case that the marriage should be celebrated at the time of day at which the celebration of Mass is lawful; for the solemn nuptial blessing may be imparted only during Mass (Canon 1101, § 1). There is, however, no strict obligation to receive the nuptial blessing, and it may be given at any time after the marriage (Canon 1101, § 1). It may not be given during the forbidden seasons of Advent and Lent, unless the Ordinary permits it for a just cause (Canon 1108, § 2, 3). Our correspondent’s question, then, is: if the parties propose to get married without the nuptial blessing, or if they are debarred from receiving it by the law, have they a right from the general law to contract marriage in the afternoon or evening, notwithstanding any particular law to the contrary?

At first sight it would seem perfectly clear that they have, that the

particular law preventing them is opposed to the general law expressly leaving them free. There would appear to be no ground for a division of opinion. Yet Cappello writes as follows: 'Nuptiae celebrari possunt etiam horis vespertinis aut nocturnis. At loci Ordinarius potest iusta de causa id prohibere in casibus particularibus. Num etiam per statutum generale? Alii affirmant, cum sit potius *praeter*, quam contra ius commune; alii negant, quia verba *quolibet tempore* non solum de *die*, sed etiam de *horis* per se intelligi possunt, cum sint omnino generalia.'¹

We must turn to the pre-Code law for the reason why there are some 'who affirm.' The pre-Code law is exactly the same as that enunciated in Canon 1108, § 1. Gasparri writes: 'Principii loco statuendum est iure communi matrimonium quocumque anni tempore et quacumque diei hora esse validum et per se licitum.'² But a little later on he says: 'Particular laws and customs frequently prescribe that marriage shall be celebrated only in the morning. And rightly so; because experience teaches that, when marriage takes place in the afternoon, it often happens among untutored people that the nuptial party is almost inebriated when it arrives at the church, and also because thus the laudable and ancient custom of blessing the marriage during Mass would altogether disappear. St. Charles Borromeo sanctioned these prescriptions for the diocese of Milan.'³ It is also to be observed that the Congregations of the Council and Propaganda approved the Statutes of several Provincial Councils which contained these enactments.⁴ Hence it is clear that, in the days before the Code, these restrictions of particular law were not considered incompatible with the measure of freedom allowed by the general law.

Now, there is a general principle that 'Canons which agree in full with the old law are to be interpreted in accordance with the authority of the old law, and, therefore, by the received interpretations of approved authors' (Canon 6, n. 2). Let us, then, resume the quotation from Cappello at the point at which we left off above: 'Prima sententia probabilior est, tum attento Can. 1171, tum perspecto iure antiquo et ideo Can. 23. Quare tenemus prohibitiones de hac re in Synodis dioecesanis vel in Conciliis provincialibus latas, etiam post Codicem vigere.'⁵

[INDULGENCED ROSARIES

REV. DEAR SIR,—You will remember that we had some correspondence about the extraordinary indulgences (of the Holy Land, for every *Pater, Ave*, etc.) on beads blessed by a certain priest. The Holy See seems to have corrected the impression. I send you the enclosed and you will explain the situation.

R. I.

Readers may remember that we dealt with this matter in recent numbers of the I. E. RECORD.⁶ A correspondent had sent us a leaflet

¹ *De Sacramentis*, iii. n. 726.

² *De Matrimonio*, vol. ii. n. 1245.

³ *Op. cit.*, n. 1262.

⁴ Cf. Wernz-Vidal, *De Matrimonio*, n. 577.

⁵ *Loc. cit.*; cf. Chelodi, *De Matr.*, n. 145; Wernz-Vidal, *De Matr.*, n. 577.

⁶ Fifth Series, vol. xxxi., May, 1928, p. 517; June, 1928, p. 633.

enumerating extraordinary indulgences attached to Rosary beads blessed by a certain priest who had got very special faculties. As the leaflet contained no *Imprimatur* we did not discuss it, merely stating that it was untrustworthy. A little later other correspondents sent us leaflets, in reference to the same indulgences, which complied with the ecclesiastical law as regards censorship. The indulgences themselves were, apparently, considered extraordinary in many quarters, and created 'no small stir.' We are thankful, therefore, to one of our previous correspondents on the matter for the official statement subjoined, taken from *The Crusader's Almanac*, published in Washington, U.S.A. :—

INDULGENCED ROSARIES

The following Decree was issued by the Sacred Tribunal of the Penitentiaria in Rome, dated December 27, 1927 :—

'We have examined the two cases referred to this Sacred Tribunal in your Excellency's letter of November 22, 1927 : one of them regarding the Rescript granted by this Sacred Tribunal of February 19, 1926, to the chaplain *pro tempore* of the School Sisters of St. Francis, of St. Joseph's Convent, Milwaukee, Wisconsin ; the other regarding the Letter of the Office of the Secretary of State of His Holiness, sent March 23, 1925, to the Reverend Lucas Etlin, O.S.B. ; both cases referring to the faculty of blessing rosaries, with the application thereto of certain definite indulgences.

'In making the aforesaid concessions in these two cases the mind of the Holy See was to grant *the faculty of attaching to rosaries those indulgences only which are to be found in the Raccolta di orazioni e pie opere (edition of 1898), pp. 525-527, under the title 'Croci Crocifissi, Corone, Rosari, Statuette, Medaglie, ecc. di Terra Santa.'* These indulgences are nothing more than the *Apostolic Indulgences*, which were specified in the list published February 17, 1922 (*Acta Apostolicae Sedis*, Vol. xiv. page 143), and in a printed official leaflet, a copy of which was sent, together with the above mentioned Rescript of February 19, 1926.

'Your Excellency is authorized to make of this communication any use which may be necessary or expedient in order to correct, as soon as possible, any misunderstanding which may have been occasioned by the publicity given to the said concessions.'

(Signed), L. CARD. LAURI, *Poenitentiarius Major*.

THE MEANING OF A 'HEROIC ACT'

REV. DEAR SIR,—Is it correct to speak of the Total Abstinence Pledge taken by members of the Pioneer Association as a 'Heroic Offering' ? As I understand it, a heroic act is one of very special difficulty, demanding a high degree of fortitude that could not be required of the ordinary man. And yet, at the present time, all the citizens of the United States are supposed to be heroes by the law of the land.

DAMON.

A heroic act, as our correspondent rightly observes, is one of special

difficulty.¹ We suppose there are many total abstainers who do not on that account feel particularly heroic. Nevertheless, we venture to think that, if a plebiscite were taken, the majority would be found to declare against universal total abstinence. Accordingly, we do not see much reason for objecting to the title of the 'Heroic Offering' to abstain for life from all intoxicating drink. Total abstinence is not a precept, but only a counsel.

Perhaps 'Damon' wishes us to conclude that the Prohibition Law in the United States thereby stands condemned. It depends on facts of which the citizens of the United States are the judges. It is common theological teaching that human law cannot *ordinarily* command acts that are heroic or extremely difficult, but only when the common good requires it. In war time the soldier is bound to obey orders at whatever risk. So, too, heroic acts are obligatory for those who freely embrace a state which demands them.² There are cases outside the category of the ordinary. Whether conditions in the United States were so abnormal as to require universal prohibition of intoxicating drink is a question, as we have said, for the Americans themselves.

P. O'NEILL.

¹ 'Actus heroici, seu qui cum maxima difficultate coniuncti sunt.'—Lehmkuhl, *Theol. Mor.*, i. 220.

² Cf. Suarez, *De Legibus*, lib. iii. cap. xii. n. 11; Lehmkühl, *Theol. Mor.* loc. cit.

CANON LAW

THE VALIDITY OF A CERTAIN DIOCESAN STATUTE

REV. DEAR SIR,—The following is a proposed Statute of the diocese of N. : ‘In omnibus casibus integrum stipendium prouti hoc Decreto determinatur, celebranti tradendum est, nec unquam licet parochio, vel iis qui eorum vices gerunt, ejusmodi stipendii, vel minimam partem sibi aut ecclesiae suae, aliter quam hoc Decreto statuitur, sub quolibet pretextu vindicare.’

Previously, among other regulations, this Decree determines the sum of ten dollars for a funeral *Missa Cantata*, and directs that two dollars be set apart for the church, the rest to go to the celebrant. Thus, if the parish priest is not the celebrant, this proposed legislation will deprive him of the *Pars Parochialis*, and conflicts with Canon 463, § 3, which states that : ‘Licet parocchiale aliquod officium ab alio fuerit expletum, praestationes tamen *parochio* cedunt.’ But, that the interment of his deceased parishioners is a function of the parish priest Canon 1230, § 1, clearly lays down : ‘Proprius defuncti Parochus, non solum jus, sed etiam officium habet, . . . exequias persolvendi.’

It appears to me that the proposed diocesan statute above quoted is in direct conflict with the general law of the Church, and as such will, if enacted, be invalid. I should esteem very much your opinion on the matter.

SACERDOS.

There are a large number of functions reserved to the parish priest ; a list of them is given in Canon 462. Offerings for the parish priest or the parochial clergy are not, however, made at all of them. In a large part of Ireland, for example, of the long list of functions given in Canon 462, offerings for the parochial clergy are made at only two, viz., the solemn administration of Baptism and the celebration of marriage. As a matter of fact, the functions at which such offerings are to be made, their amount, and other details regarding them, are matters which are determined for the most part by local custom and local legislation—a point which Canon 463, § 1, indicates clearly enough. The performance of the funeral rites of his deceased parishioners is one of the functions reserved to the parish priest, and it is also one of the functions at which offerings for the parish priest or parochial clergy are usually made. There is no general law, however, which requires that such offerings should be made. Canons 1234-1237, which contain the whole of the special Code legislation on this matter, are concerned rather with directions to local authorities and with the distribution of the offerings, on the hypothesis that they are made ; in fact, the phrases *attentis legitimis consuetudinibus*, of Canon 1234, and *Salvo jure particulari* of Canon 1236

are a clear enough proof that this is a matter to be regulated principally by local law and local custom. Here in Ireland, again, in conformity with this idea, there is a twofold practice; in some parts of Ireland, mainly in the province of Armagh, there are large offerings for the parochial clergy on the occasion of funerals; whereas in other places the fees on such occasions are payable for personal attendance at the *exequial* rites, and for the offering of Mass for the soul of the deceased.

In places in which there is a special offering for the parish priest or parochial clergy, it may take the form of a large stipend for the *exequial* Mass. This is the case in the dioceses of Cologne and Treves and in the whole of Bavaria, where, in accordance with statements made to the Sacred Congregation of the Council in 1874, the large stipend on the occasion of an *exequial* Mass either forms part of the *congrua parochialis* or appertains to the stole fees of the parish priest. In such circumstances the Congregation decided that, if the parish priest transferred the obligation of celebrating the Mass, he need transfer only the ordinary diocesan stipend.¹ This, however, is an exceptional state of affairs; usually the large stipend customary on such occasions is due to the extraordinary labour connected with *exequial* Masses and belongs entirely to the celebrant. Cardinal Gasparri has the following note on these decisions of the Sacred Congregation of the Council:—

‘The magazines *Nouvelle Revue Théologique* and *Le Canoniste Contemporain*, 1889, assert that in France the larger stipend in nuptial and *exequial* Masses is not part of the *congrua parochialis*, and does not pertain to stole fees, but is given by reason of the *singing*, the *unaccustomed hour*, the *extraordinary labour*, and that many statutes expressly say so; and we think that this is true generally of other parts of the Church also. If matters are thus, the entire stipend should be given to the celebrant.’²

After these preliminary remarks there should be very little difficulty, we think, in coming to the conclusion that the statute about which our correspondent inquires is quite legitimate and constitutional. It requires that the whole stipend on the occasion of an *exequial* Mass should be given to the celebrant; no part of the stipend, therefore, is parochial revenue or represents a special offering for the parish priest as such. This, however, as we have already stated, is the ordinary discipline of the Church. The fact that, in accordance with the statute and the legislation which accompanies it, there are no special offerings for the parish priest or parochial clergy on the occasion of funerals does not constitute any real objection to its legality. Although such offerings

¹ In *Monacen*, 25 Julii, 1874: ‘Attento quod eleemosynae missarum, de quibus in precibus, pro parte locum teneant congruae parochialis, licitum est parochio, si per se satisfacere non possit, missas alteri sacerdoti committere, attributa eleemosyna ordinaria loci, sive pro missis lectis, sive cantatis.’

In *Colonien*, 25 Julii, 1874: ‘Cum agatur de iuribus stolae, satis esse si parochus retribuatur celebranti eleemosynam ordinariam.’

² *De Sanctissima Eucharistia*, vol. i., p. 442. Cf. *Nouvelle Revue Théologique*, vol. xxi. pp. 229-244; *Le Canoniste Contemporain*, vol. xii. pp. 399-407; *Many, De Missa*, pp. 182-183.

are usual in the Church generally, yet, as we have pointed out above, they are not prescribed by the general law, and in many places—incidentally those with which we are best acquainted—they do not exist at all.

Our correspondent's objection to the statute is based principally on what he considers its opposition to Canon 463, § 3. The opposition, however, is only apparent. To enable our readers to realize this the more easily, we shall put side by side § 1 and § 3 of Canon 463 :—

§ 1. 'Jus est parochi ad praestationes quas ei tribuit vel probata consuetudo vel legitima taxatio ad normam Canon 1507.

§ 3. 'Licet parociale aliquod officium ab alio fuerit expletum, prae-stationes tamen parochi cedunt, nisi de contraria offerentium voluntate certo constet circa summam quae taxam excedit.

Evidently, the *prae-stationes* of § 3 are the same as those of § 1, that is to say, *prae-stationes* which local custom or local legislation assign to the parish priest as such. Such offerings, § 3 declares, go to the parish priest, even though the parochial function is discharged by some other person. It is clear, therefore, that there is no opposition between this paragraph and the statute. The offering of which there is question in the statute is not assigned to the parish priest as such, but to the celebrant of the Mass; when, therefore, the parish priest does not himself celebrate the Mass he has no right to any part of the offering.

A PRIEST FORBIDDEN TO UNDERTAKE THE ADMINISTRATION OF PROPERTY BELONGING TO LAYMEN, WITHOUT THE PERMISSION OF HIS ORDINARY

REV. DEAR SIR,—A priest has asked me whether he may become administrator of a layman's intestate estate, *inconsulto episcopo*. I referred him to Statute 204, page 88, of the Maynooth Synod, which forbids priests, except in case of necessity, to mix themselves up in Wills, and which further requires that they should not permit themselves to be appointed executors of the Wills of laymen without having consulted the Bishop. Not a word in the statute forbidding a priest to become executor of a layman's intestate estate: hence, I said that the natural inference is that a priest may, *inconsulto episcopo*, administer a layman's intestate estate, for, if the legislators meant to prohibit this they would have done so explicitly. Am I right? Would you kindly reply in the I. E. RECORD?

SACERDOS.

Canon 139, § 3, of the Code of Canon Law forbids clerics to undertake administration of this kind without the permission of their Ordinary: 'Sine licentia sui Ordinarii ne ineant gestiones bonorum ad laicos pertinentium.' Accordingly, whatever may be said about the position under the Maynooth Statutes, there is no doubt that, in virtue of this canon, a priest may not become the administrator of a layman's intestate estate without having consulted his Ordinary and obtained his permission.

CO-OPERATORS AND THE 'IPSO FACTO' PUNISHMENTS
DECREED AGAINST CRIME

REV. DEAR SIR,—I understand that, according to the new Code, those who co-operate in the commission of a crime incur the *ipso facto* punishments decreed against the crime, if their co-operation is of such a kind that without it the crime would not have been committed. If this be correct, then one who by his advice induced another to procure abortion incurs the excommunication decreed against this crime in Canon 2350. Would you kindly say whether this is certain? Also, please, discuss the position of one who has given advice of this kind, but repents before the crime has been committed and strives, unsuccessfully however, to prevent its commission.

DUBIUS.

Our correspondent is correct in his surmise that the co-operators in question now incur the *ipso facto* punishments decreed against a crime. Prior to this publication of the Code of Canon Law this, indeed, was not the case, only those co-operators being punished who were expressly mentioned; Canon 2231, however, states that: 'If several co-operate for the commission of a crime, even though only one is named in the law, those also of whom there is question in Canon 2209, §§ 1-3, are bound by the same penalty, unless the law makes an express provision to the contrary.' The co-operators mentioned in Canon 2209, §§ 1-3, include those of whom our correspondent speaks.

The application of Canon 2231 gives rise to no particular difficulty when the co-operation has not been withdrawn before the consummation of the crime; there is no doubt that in this case the punishment is incurred whether it is vindicative or medicinal. To estimate correctly the position of one who has withdrawn one's co-operation it is necessary to distinguish between a withdrawal which is complete and timely, and one which is not complete. According to Canon 2209, § 5, in the former case the withdrawal takes away all responsibility for the crime, in the latter circumstances it diminishes but does not entirely remove culpability and responsibility.¹ When co-operation has been completely withdrawn before the consummation of the crime some writers still seem to consider it doubtful whether *ipso facto* punishments are incurred. Thus, Capello, dealing with censures, states that: 'One who, after having performed a sinful act, recalls it before the effect, e.g., death, takes place, either by obtaining remission of the fault in the Sacrament of Penance, or by revoking the mandate in such a way that the revocation shall have become known to him who has received it, does not incur the censure decreed against such an act according to many. Others consider that the censure is incurred because penance

¹ 'Qui suum influxum in delictum patrandum opportuna retractatione abduxerit plene, ab omni imputabilitate liberatur, etiamsi executor delictum ob alias causas sibi proprias nihilominus patnaverit; si non abduxerit plene, retractatio minuit, sed non aufert culpabilitatem.'

or revocation does not prevent the effect which has afterwards followed from being truly voluntary, since contumacy exists from the very fact that one, although aware of the existence of an ecclesiastical penal law, nevertheless voluntarily transgresses it. But the censure is not incurred until after the effect has followed. The second opinion, speculatively speaking, is the truer; the first is probable and, therefore, practically safe, nay, it must be said to be certain in accordance with Canons 15 and 2219, § 1.¹

To us it is quite clear that, when the withdrawal of a mandate or of any similar kind of co-operation has been fully made, and has been communicated in time, *ipso facto* punishments, whether medicinal or vindicative, decreed against a crime are not incurred; in such circumstances, according to Canon 2209, § 5, as has been already stated, the co-operator is excused from all responsibility for the consummated crime, from which it follows as a direct consequence that he does not incur any of the penalties by which it is punished. This view, it seems to us, is not merely practically, but also speculatively certain.

Since even incomplete withdrawal of co-operation diminishes culpability and imputability, it excuses from *ipso facto* punishments, when the law has such words as *praesumpserit, ausus fuerit, scienter, studiose, temerarie, consulto egerit*, in accordance with Canon 2229, § 2.² In the case of other laws, however, it does not excuse from *ipso facto* punishments; the co-operation remains gravely sinful, and ordinary penal laws require no special grade of culpability.³

There is one kind of withdrawal or attempted withdrawal of co-operation in the commission of a crime that requires a special word, namely, withdrawal which is complete in intention and desire, but which through circumstances cannot be communicated to the agent. One, for example, induces another by his advice to commit a crime, repents before it has been committed, and desires to recall the advice, and to prevent the commission of the crime, but is unable to get into communication with the other before the crime has been committed. In actual fact, in such circumstances, the co-operation has not been withdrawn at all; the crime has been committed in virtue of it, and the co-operator remains fully responsible for it. There is no doubt that attempted withdrawal of this kind does not excuse from *ipso facto* vindicative punishments; in regard, however, to censures, from the speculative standpoint at least, the matter is not so clear. The difficulty concerns, not responsibility for the crime, but a further condition necessary for incurring a censure, namely, contumacy. The question is whether this attempted withdrawal is compatible with the special grade of contempt for, and disobedience to ecclesiastical authority which is required in order that one may incur a censure. The Code has no statement on the point;

¹ *De Censuris*, n. 29.

² 'Si lex habeat verba: *praesumpserit, ausus fuerit, scienter, studiose, temerarie, consulto egerit* aliave similia quae plenam cognitionem ac deliberationem exigunt, quaelibet imputabilitatis imminutio sive ex parte intellectus sive ex parte voluntatis eximita poenis latae sententiae.'

³ Cf. Canon 2229, § 3, 3I.

and hence, in accordance with Canon 6, the interpretations of pre-Code writers must be examined to discover the implications of contumacy in this connexion. St. Alphonsus gave his usual lucid summary of the teaching on this point. In answer to the question whether one who commissioned or advised another to kill a cleric incurred a censure, if before the execution of the crime the advice was recalled in so far as it was possible to recall it, he stated that there were two opinions. According to one, the answer to the question was in the affirmative, because the evil advice when given always continued to exercise its influence. The common view, however, was that the censure was not incurred, because the recall, even though it could not be communicated in time, was incompatible with the contumacy required for incurring a censure.¹ Accordingly, from the speculative standpoint, the matter was and is doubtful; in practice, since penal laws are of strict interpretation, it is certain that the censure is not incurred.

Having discussed the general principles regarding co-operation and *ipso facto* penalties, we are now in a position to deal with the particular matter in which our correspondent is specially interested. A person who induces another by his advice to procure abortion does not incur the excommunication mentioned in Canon 2350, if, before the abortion has taken place, he has fully withdrawn his co-operation, so that he can no longer be said to be the cause of the crime. If, however, the co-operation has not been withdrawn, or has been only partially withdrawn, he incurs this punishment. Finally, if he desires, indeed, to withdraw fully his co-operation, and makes every effort to do so, but is unable to get into communication with the one whom by his advice he has determined to commit this crime, he does not incur the excommunication, because of the absence of that contumacity necessary for incurring a censure.

IRREGULARITY ARISING FROM EPILEPSY. ADMISSION OF CONVERTS TO RELIGIOUS INSTITUTES

REV. DEAR SIR,—Please reply to the following queries in the I. E. RECORD :

1°. Are those who have had epilepsy, but have been completely cured, irregular, so that they require a dispensation in order to be promoted to orders ?

2°. Has any legislation regarding the admission of converts

¹ *Theol. Moralis*, lib. vii., n. 40 : ‘Quaer 2. An mandans sive dans consilium pro occisione clerici incurrat censuram, si ante executionem consilium pro viribus revocetur. Affirmat Conc. cum May. Con. et Bon., quia malum consilium praestitum semper pergit influere; sed communius et probabilius negavit Suar. Pal. Laym. Viva et Salm. cum Avila Hurt. Tab. Diana Giball et aliis, quia ecclesia nequit ligare censuris nisi contumaces. Et idem probabiliter dicunt Viva et Pal. Salmant. . . . etiamsi revocatio consilii non potuerit innotesci executori, prout idem dicunt Salm. de eo qui dedit venenum clerico, at antequam incipiat operari animum retractavit, et modo quo potuit procuravit effectum impedire, quia dum postea evenit laesio ille non est contumax, unde non debet incurrere censuram, quae est poena medicinalis ad impediendam peccata.’

from non-Catholic sects to religious institutes been recently made? I am almost sure that I have heard something of that nature, but cannot recall the exact details.

RELIGIOSUS.

Before the publication of the Code of Canon Law many writers considered it probable that epilepsy which manifested itself only before puberty had been attained, and was completely cured, did not beget an irregularity; ¹ and since its publication some commentators, such as Noldin,² advance the same theory. Whatever about the pre-Code position, in our opinion there is now no foundation whatever for this view. Let us quote Canon 984, 3°, which contains the Code discipline on this matter:—

‘Sunt irregulares ex defectu : 3°. Qui epileptici . . . sunt vel fuerunt ; quod si post receptos ordines tales evaserint et jam liberos esse certo constet, Ordinarius potest suis subditis receptorum ordinum exercitium rursus permittere.’

Accordingly, those who are or have been epileptics, and hence, epileptics who have been perfectly cured, are irregular and, therefore, require a dispensation in order that they may be promoted to orders. Since the Canon makes no distinction between epilepsy which has manifested itself only before puberty has been attained, and other cases of this disease, we regard it as certain that, at whatever age epilepsy has made its appearance, and even though it has been completely cured, it gives rise to the irregularity, and necessitates a dispensation for the reception of orders.

2°. Amongst those who are excluded in Canon 542 from validly entering the novitiate of a religious institute are : ‘Qui sectae acatholicae adhaeserunt.’ In regard to this class, the following query was submitted to the Code Commission in October, 1919:—

‘Utrum verba *qui sectae acatholicae adhaeserunt* Canonis 542 sint intelligenda de iis, qui gratia moti ex haeresi vel schismate, in quibus nati sunt, ad Ecclesiam pervenerint ; an potius de iis qui a fide defeecerunt et sectae acatholicae adhaeserunt.’ The Commission replied : ‘Negative, ad primam partem ; affirmative, ad secundam.’

Hence, only those converts from non-Catholic sects who had been formerly members of the true Church, but had fallen away from it, and joined a non-Catholic sect, are excluded from validly entering the novitiate of a religious institute ; those who have been born and brought up in heresy or schism are not included in the prohibition of Canon 542 when they are converted to the Catholic Church.

This is the only recent legislation on this subject with which we are acquainted.

J. KINANE.

¹ Cf. Gasparri, *De Sacra Ordinatione*, vol. i. n. 278.

² *De Sacramentis*, n. 485.

LITURGY

BINATION ON PALM SUNDAY AND THE OMISSION OF THE
READING OF THE PASSION

REV. DEAR SIR,—With reference to your reply to a correspondent in the November issue of the I. E. RECORD, page 517, may I ask what interpretation you put upon the quotation given from the quinquennial faculties granted to Bishops? Does it give the Irish Bishops who receive it power to dispense from the second reading of the *Passion* on Palm Sunday when they have a second Mass to say?

The doubt arises from the clause ‘*qui binas Missas, ex speciali Indulto Apostolico obtinendo, celebrant.*’ Our priests do not, as a rule, binate on Sundays *in virtue of a special Indult*, but in virtue of the general law as it applies to them. So they would seem to be excluded.

To whom then does the clause refer? Is it that there are priests in parts of Europe who have power ‘*ex speciali Indulto*’ to binate on the ferias of Holy Week? That the faculty in question applies to other days of Holy Week than Sunday seems to be implied by putting the word (*Matthaeum*) in brackets at the end, showing that it might be (*Marcum*) for Tuesday or (*Lucam*) for Wednesday; that it applies also to Palm Sunday seems to follow from the example given *secundum (Matthaeum)* which is the Gospel or *Passion* for Palm Sunday. Again, if it applies to Palm Sunday, may it be used in favour of priests who binate that day, not *ex speciali Indulto*, but by the ordinary law?

I shall be grateful for a brief reply.

SUBSCRIBER.

From the wording of the faculty in question it seems obvious to us that it can be exercised only in favour of priests who have power to binate in virtue of a special indult from the Holy See. Here are the words: ‘*Quando in Missa Hebdomadae Majoris dicitur Passio, pro Sacerdotibus qui binas Missas, e speciali indulto Apostolico obtinendo, celebrant, legendi in una Missa tantum ex Passione postremam partem (Altera autem die, etc.) praemissis; Munda cor meum, etc. Sequentia Sancti Evangelii secundum (Matthaeum).*’ Canon 806 of the Code says that a priest is not at liberty to binate except by an apostolic indult or by power obtained from the Ordinary of the place; and that this power can be exercised by the Ordinary only when, in his prudent judgment, owing to the scarcity of priests, a notable part of the faithful would otherwise be unable to assist at Mass on a feast of precept. There are, therefore, two ways recognized by which the faculty to binate may be obtained, viz., (1) by an apostolic indult or (2) from the Ordinary of the place. The extent and conditions of the former are not

defined; the latter is restricted to days of precept in cases of genuine necessity. In the one case the privilege is personal; in the other it is merely a remedy for a necessity, and any priest may exercise it. A special indult from the Holy See to binate on week days or Sundays, whether for a private or public utility, is, as far as we know, unheard of in this country; but it should be remembered that the quinquennial faculties of Formula II. were also intended for other places in Europe where such privileges seemingly are not unknown. In our opinion this faculty granted to Bishops, of dispensing priests from the reading of the *Passion* in the second Mass on Sunday, Tuesday or Wednesday of Holy Week, applies only to cases where the privilege of binating has been obtained by special indult, and we fail to see any reasonable justification for interpreting it as applying to cases where the faculty comes merely from the ordinary law or the legislation of the Bishop. The *Ephemerides Liturgicæ*,¹ however, takes an opposite view, and seems to regard the power granted to Ordinaries in Canon 806 as the equivalent of an Apostolic indult ('nempe ex apostolica auctoritate'). No authority is assigned for this assumption nor do we see how the words 'e speciali Indulto Apostolica obtinendo' can lend themselves to such an interpretation.

USE OF THE CROSSED STOLE IN ADMINISTERING HOLY COMMUNION. PROCESSION OF THE BLESSED SACRAMENT AS PART OF THE DEVOTION OF THE HOLY HOUR. PRECEDENCE OF A FEAST OF DEDICATION TO A MINOR SUNDAY

REV. DEAR SIR,—I. (a) In a recent commentary on the rubrics of the Mass (*The Eucharist: Law and Practice*. By Canon Durieux, published in 1926), there occurs this statement in the section dealing with the distribution of Holy Communion: 'It is forbidden to distribute Holy Communion with only the alb and the crossed stole.'

As this is a remarkably accurate little book, and as, on the other hand, the practice referred to is very widespread, I would be grateful if you would, in an early issue of the I. E. RECORD, state your opinion on the point. Though the author usually refers to the New Code or the S.C.R. as a check on all his statements, he makes no reference in this case.

(b) Would the practice referred to be also wrong when you give Communion before Mass in a convent chapel, and then immediately (also before the Mass) carry Communion to the sick in the infirmary of the convent?

II. With regard to the devotion of the Holy Hour, would you kindly say if a procession of the Blessed Sacrament is allowed as part of the devotion in a parish church?

III. According to the *Ordo* of this year the Sunday's Office and Mass on the 18th of November yielded precedence to the Feast of

¹Cf. *Ephem Liturg.*, 1926; p. 219.

the Dedication of the Basilicas of SS. Peter and Paul, which is only a major-double. What was the reason for this, and why did not a like rule operate on Sunday, August 5, when the Feast of the Dedication *S. Mariæ ad Nives* occurred? I have looked up the rubrics of the Missal and several rubrical books, but could get no light on the point.

ENQUIRER.

I. (a) A query similar to this was answered in a rather recent number of the I. E. RECORD.¹ As our correspondent may not have ready to hand the copy of the I. E. RECORD in which the query appeared, we think it well to repeat what we stated in reply:—

‘We have not been able to find authority for this statement, nor do we think it rubrically accurate. It is true that it is distinctly laid down² that if Communion is distributed immediately before or immediately after Mass the priest should be fully vested as for Mass, and that in other cases he should don surplice and stole; but this is not equivalent to a prohibition of the use of the alb and crossed stole in the administration of the Sacrament. On the contrary, from the answer given by the Sacred Congregation³ in one of the decrees already referred to, it may, we think, be inferred that, when there is a reasonable cause, the alb with the stole crossed on the breast, may be used at any function, instead of surplice or stole. It was asked: ‘*Utrum pro superpelliceo uti valeat sacerdos alba cum stola ad pectus transversa in casibus præfatis, præsertim in celebrando Matrimonio cum immediate post absolutionem ritus matrimonii Missam pro sponso et sponsa celebraturus sit?*’ And the reply was: ‘*Si immediate sequitur Missa, sacerdos præter albam et stolam induere debet etiam Planetam.*’ The only exception made by the Sacred Congregation is when Mass immediately follows. When, therefore, there is a reasonable cause, as, for instance, in giving Communion to a sick nun in a convent immediately before Mass, or to a member of the congregation after Mass when the priest has already returned to the sacristy, or in administering Communion from an altar different from that on which he is about to say Mass, we should have no hesitation in using the alb and crossed stole, nor should we worry over the statement of Durieux to the contrary.’

(b) We should not think the practice rubrically wrong, for there is a reasonable cause and, as the Communion of the sick in the infirmary intervenes, Mass cannot be said to *immediately* follow. If, however, the Communion of the sick preceded, we think the prescribed ceremony on return to the oratory should be completed, and the priest should then don the chasuble before giving Communion to the nuns, in accordance with the decrees already cited.⁴

II. We are not aware that there is any set form of prayer or

¹ I. E. RECORD, March, 1927, vol. xxix., p. 306.

² Decr., 3764¹⁴; 3158³.

³ Decr. 3158³.

⁴ Cf. O’Kane, *Rubrics of the Roman Ritual*, p. 344.

prescribed subject of meditation for the Holy Hour. The devotion, as we know it, consists in consecrating one hour to prayer—either mental or vocal—before the Blessed Sacrament, in memory of Christ's prayer and agony in the Garden. We see no reason why a procession of the Blessed Sacrament within the church might not occupy portion of the time, provided the parish priest has the Bishop's sanction for the procession in accordance with Canon 1294 of the Code.

III. The two following rubrics from the Bull *Divino afflatu* of Pius X should help our correspondent to the solution of his difficulty :—

(1) 'De Dominicis minoribus seu per Annum, semper fieri debet officium, nisi occurrat aliquod Duplex i vel ii classis, aut quodvis Festum novem Lectionum Domini, non autem eorum dies octava' ¹

(2) 'Festum Dedicationis cujuslibet Ecclesiae est semper primarium et Festum Domini.' ²

The Feast of the Dedication in question was a Feast of Our Lord with an Office of Nine Lessons and, as such, was entitled to take precedence of a minor Sunday. The other Feast, though styled in the Missal *In Dedicatione S. Mariae ad Nives*, is really not a dedication, but rather a Feast of the Blessed Virgin, as a glance at the Office and Mass of the Feast clearly shows. At any rate the direction of the Irish *Ordo* in the matter is in accord with the Roman.

M. EATON.

¹ Tit. iv. n. 2.

² Tit. ix. n. 1.

CORRESPONDENCE

'THE ORIGIN OF THE ROSARY'

REV. DEAR SIR,—As the mention of St. Vincent Ferrer's rosary beads is said to have given great pleasure to several readers, it may be well to add that the holy Carmelite nun, Françoise d'Amboise, formerly Duchess of Brittany, into whose hands they came, was of great assistance to Alan Roche in his restoration of the Rosary. Père Fages, in his *Histoire de Saint Vincent Ferrer*, vol. ii., page 263, speaking on the subject, says : 'En possession de ce trésor il n'est pas surprenant que la Bienheureuse ait aidé de tout son pouvoir le B. Alain de la Roche dans le rétablissement des confréries du Rosaire.' And in a note he quotes from *La vie de la Bienheureuse Françoise, par le vénérable Albert Legrand*, édition Kerdanet, page 349, the following words : 'La bienheureuse Françoise d'Amboise gardait précieusement un chapelet de bois qu'elle avait eu de Saint Vincent. . . . Après la canonization, le Cardinal-légat, Alain Coëtiivy lui fit aussi present d'un doigt du Saint, de son bonnet doctoral, et de sa ceinture, qu'elle reçut comme précieuses reliques ; et lorsqu'elle mourut, les laissa en son monastère des Coets-les-Nantes, qu'elle avait fondé.'

N.B.—Françoise d'Amboise, 1427, wife of Peter II, Duke of Brittany († 1457) founded in 1460 the Carmelite convent in Vannes, which she herself entered in 1467. From 1476 on she was Prioress in Nantes, where she died in 1485. Beatified by Pius IX.

Her biographer, Albert Legrand, mentioned here, may be the Dominican hagiographer of that name († 1640).

It may be worth while to reflect on the words here quoted from Legrand and Fages, because adversaries of Papal tradition have repeatedly asserted that prior to the preaching of Alan Roche there is no evidence of the existence of the Rosary, and that he was the first to ascribe its establishment to St. Dominic. For instance, one of them has said : 'On peut conclure sans crainte d'erreur qu'avant Alain de la Roche il n'existait aucune tradition qui rattachât à saint Dominique l'institution du Rosaire, mais après lui, cette croyance se repand rapidement et devient bientôt universelle.' If he was aware of the statement contained in several Papal Bulls, he obviously did not perceive the cogency of the proof afforded by it. That an educated Catholic could conscientiously talk as he did, is otherwise inexplicable. But relying on the alleged absence of evidence he said also : 'Nous avons de nombreuses biographies des Dominicains qui illustrèrent l'Ordre aux XIII et XIV siècles, le B. Albert le Grand, saint Thomas d'Aquin, sainte Catherine de Siemie et tant d'autres. N'est-il pas étrange que d'aucun d'eux on ne dise qu'il récitait le Rosaire, qu'il en propageait la dévotion ?' In answer to this I need only observe : (1) That St. Vincent was born in A.D. 1350. (2) That if

he had a beads, while readily acknowledging Legrand's silence on the point, we may safely assume that he used it; and also safely ask why, on his deathbed, did he give it to the Duchess of Brittany, unless he wished that she should use it? (3) That in none of the ancient Dominican biographies of St. Vincent known to me, is there a word about his beads. I mention this in order to show that so far forth I agree with the opponent of tradition, and also to expose the utter futility of the negative argument that is based on such silence. What at the present day might be regarded as surprising or, perhaps, inexcusable omissions, occur in the ancient *Lives* of several holy Dominicans, written by their brethren. Many modern hagiographers mention details, those medieval hagiographers do not. For instance, consider that next to nothing about the personal and daily actions of St. Thomas is told us by Bernard Gui or by Guglielmo di Tocco. (4) That if the opponent of tradition had been in Vannes or had read the *Life of B. Françoise d'Amboise*, he certainly would have excepted the case of St. Vincent. But as things stand at present, it is easy to dispose of his sweeping denial or universal negative, namely, the one he infers. All that needs be done is to produce a single instance of the truth of its contradictory or to prove the particular affirmative.

I am, of course, aware that the passage last quoted is but a part of the negative argument which the dissentients from Papal tradition extol, and on which they confidently rely. I know that they are reduced to the sad necessity of employing it; because, say what they like, they *will* contradict the Popes, and because they are conscious of having no positive argument. I mean that they perceive their inability to produce a single authoritative or historical statement made either by a person that lived before, in, or for five centuries after the time of ST. DOMINIC GUZMAN—to the purport, that not he but ST. SOMEBODY ELSE instituted the Rosary. From their array of arguments, history is conspicuous by its absence. Instead of it, they offer objections to history, adventurous assertions, and improbable conjectures. Cuyper, whom many have imitated, was, apparently, the first to call in question the traditional origin of the Rosary. Some who have read him say that he deals, not in history, but in hypothesis and hypercriticism. This is what he says about the statement contained in Papal Bulls. (385). *Non diffitemur, magnam esse Pontificum Romanorum auctoritatem, eamque huic opinioni non exiguum pondus addere: atamen in hac materia talis non est, ut viri Catholici ac eruditi prohibeantur de illa questione, pure historica, publice disputare, ac inter se dissentire.* And in (384) he says: '*Gregorius XIII, aliique quidam Pontifices Romani, de quibus superius mentio facta cum sancto Pio V. consentiunt. Sed observa, omnes illos Christi Vicarios, qui de Rosario aut confraternitate istius meminerunt, post tempore Alani de Rupe Ecclesiam gubernasse, as if Alan Roche were not to be believed, and as if the Popes relied on him solely, and as if they themselves did not examine the matter before making a statement.* And in (372) referring to the fact that Sixtus V states that Urban IV and John XXII granted indulgences to the Rosary Confraternity, instead of believing

that they did so, he says: *Non sumus adeo morosi, ut antiquiora testimonia requiramus, si id de Alexandro IV aut Urbano IV probari possit. Quinimo libenter fatemur, validissimum esse hoc argumentum, si nitatur monumentis, quae aetatem Alani Rupensis praecedunt.* But does not Sixtus V's reference to them show that the two Bulls were issued? Cuyper does not appear to have known Clement VIII's Bull, *Ordo Fratrum Praedicatorum*, 19th January, 1602, in which the statement occurs: St. Dominic preached on the Rosary, and established the Confraternity in the Roman church of San Sisto. I wonder what Cuyper would say, if he knew it. Finally, as regards him, I wish to remark that after expressing his various criticisms he does not commit himself to an absolute denial, but says (412): *His in utramque partem disputatis ac observatis, de ipsa controversia liberum iudicium eruditis lectoribus relinquimus.*

Most readers of the I. E. RECORD know the Divine Office said on Rosary Sunday, and in particular the words about St. Dominic that are contained in its fourth Lesson, viz., *beatissimam Virginem assiduis precibus interpellans, ab ipsa monetur ut Rosarium omni mentis fervore praedicet.* Benedict XIII inserted this Office into the Roman Breviary. Before he did so, the question about the origin of the Rosary had been studied by the great Prospero Lambertini, at this time Promoter of the Faith. His learned *Votum* on the subject was approved by the Congregation of Rites and by the Pope. We ought to be sure that as much care was taken then as afterwards in the questions about revelations affirmed to have been made regarding the Sacred Heart and Lourdes, and we ought to be sure that the decisions arrived at respectively in the three cases are of equal authority. They have been duly received by innumerable Catholics as entitled to their complete and reverential assent.

But Cuyper, who doubts about St. Dominic, just as some individuals may have doubted about St. Margaret Mary Alacoque or about Blessed Bernadette, expresses his opinion thus (366): *Ex his igitur concludimus sacram Rituum Congregationem et Benedictum XIII a nobis in hac re non exigere majorem fidem historicam, quam mereatur auctoritas Alani Rupensis, qui illud singulare privilegium post ducentos quinquaginta annos a morte St. Dominici primum memoriae prodidit.*

Taken on the whole, the *Acta Sanctorum* is a monumental and a peerless work. If the great Society of Jesus had produced nothing else, it would deserve on this account the deep and undying gratitude of all other Catholics. A person in pursuit of knowledge about ever so many other servants of God, goes to the Bollandists' work as to the best and most accessible of all sources of information. It contains erudite dissertations, and it quotes authentic documents that are with difficulty found elsewhere. With regard, however, to Sections xix and xxi of Cuyper's *De Sancto Dominico* I do not say what I think; but instead of doing so I quote these words of Benedict XIV: *De serv. Dei beatif. et canon., lib. iv. part 2, cap. x. n. 29*, in allusion to the *Votum* given by himself when *Promotor Fidei*.

Demum de institutione Rosarii legi possunt Acta Sanctorum a Continuatoribus Bollandianis edita ad diem 4 Augusti in vita Sancti Dominici

quae post haec jam scripta a Nobis visa sunt. Legi quoque possunt Scripta nomine Christiani Catholici, missa Viris pacificis Antverpiensibus Editoribus Actorum Sanctorum X Kalendas Maii, 1734, ubi haec habentur : Quaeeritis, an Sanctus Dominicus instituerit Deiparae Rosarium? Ancipitis animi vos esse fingitis, etc. Verum quid de tot oraculis summorum Pontificum Leonis X. Pii V, Gregorii XIII, Alexandri VII, Innocentii XI, Clementis XI, Benedicti XIII, aliorumque, quibus visum est, Sanctum Dominicum fundatorem esse Rosarii?

In n. 22, referring to various purely subjective notions about the origin of the Rosary, which he had refuted, he says : *Explosis autem praedictis opinionibus, pia vigeat, vigetque adhuc in Dominicana familia traditio, institutum fuisse Rosarium a S. Dominico : licet enim praecessisset precum repetitio, et forte etiam Salutationum Angelicarum, praefinitio tamen numeri centum et quinquaginta Salutationum Angelicarum et quindecim Orationum Dominicarum, adjuncta quindecim praecipuorum humanae redemptionis mysteriorum pia meditatio soli Sancto Dominico uti Auctori adscribenda videtur. . . . Profecto quamvis forte desint auctores contemporales institutionem S. Dominico adscribentes, magni nihilominus momenti traditio habenda est, cum pluribus fulciatur adminiculis et coniecturis.*

In n. 23, he says : *Praeter haec, alia non deficiunt adminicula, quae suadent, institutionem Rosarii esse ad S. Dominicum tanquam Auctorem referendam, ut rigidus censor Baillet ad diem 15 Augusti, sect. 2, num. 33, ingenue dixerit, injustum esse refragari institutioni Rosarii a S. Dominico factae.* Though the Jansenistically-minded Baillet (1649-1706) on account of his hypercritical *Vies des Saints*, Paris, 1701, was justly styled *Le dénicheur des Saints*, he told the truth in this case. Benedict XIV evidently had in mind these words of his. *Il n'est pas juste d'ôter à saint Dominique, la gloire d'avoir inventé le Rosaire, ou de l'avoir introduit parmi les fidèles.*

And in his *Inst. Ecclesiast.*, lxxix. 12, speaking of a church that is in Bologna, he says : *Adest pariter altare in quo ossa Sancti Dominici collocantur, quem Auctorem et institutorem Rosarii Summi Pontifices suis diplomatibus, quibus fides praestanda est, merito appellarunt. Porro ipse hoc divino Rosarii, beataeque Virginis praesidio formidolosam Albigenis haeresim vehementer extenuavit.*

In conclusion here it may be remarked that for some motive or other a document was forged which attributed the institution of the Rosary to St. Dominic, and which was believed by so eminent a historian as Touron, O.P. (1686-1775). Of it a writer says : *Touron and Alban Butler appealed to the Memoirs of a certain Luminosi de Aposa, who professed to have heard St. Dominic preach at Bologna, but these Memoirs have long ago been proved to be a forgery.* If I remember rightly, Count Soderini affirmed that Aposa is a valley near Bologna. At any rate, in his work *De Festis B.M.V.*, lib. ii. cap. xii. n. 9, Benedict IV, speaking about Touron's joy at reading in a book, printed at Ferrara in 1735, that Galvano Bragia of Bologna, in 1347, and Agostino Anelli, in 1430, and Luminosi de Aposa, a contemporary of St. Dominic, called him the Founder of the Rosary, says : *Has historias cum eruditus Gallus legerit.*

magno triumphat gaudio. Verum, si auctores illi cujusmodi sint, novisset, ut Ipsi novimus; nec clam illi fuisset, quosdam non ex Dominicana, sed ex alia sacra Familia suppositivos illos auctores effinxisse, frustra adhuc monitos et provocatos, ut efferunt; profecto caeteris argumentis contentus, quae et ipse effert, et cum iis consentiunt, quae Nos attulimus, ejusmodi apocryphis monumentis abstinuisset.

It need not surprise us to find that even a scholar such as Tournon was imposed on by these worthies, for he had no idea of their real character. We know that others like them, for instance, Annus of Viterbo, O.P., MacPherson, Chatterton, succeeded for a time in deceiving the learned world. So was it in the case of Tournon, till Benedict XIV exposed the fraud. He, of course, could not connive at the covert attack. He knew well the truth of the Papal and Dominican tradition. He understood that a tradition of this kind, so far from having anything in common with a fabricated document or from being corroborated by a fictitious narrative, could only be weakened and discredited and disgraced by association with it. *Non tali auxilio.* In confirmation of its immemorial tradition the Dominican Order is sufficiently furnished with proof, because it has history on its side.

That tradition was, as we have just now seen, considered satisfactory by Benedict XIV, and commended by him. And that history, as we saw in a preceding part of this long letter, was officially approved, and then adopted or acted upon by Leo X, who stated that the Rosary was instituted by St. Dominic, *prout in historiis legitur.* (Also his Legate to France, Cardinal Francis de Clermont, Archbishop of Auch, said in his Diploma, dated 9th April, 1514: *per Beatissimum illius Ordinis primum Patrem legitur praedicata.*) These two occupants of the Holy See manifest to us the reason why they and all the other Popes that have spoken on the subject make the same statement. It has now for several centuries been a Papal tradition, the intrinsic certainty of which is not examined when a new successor of St. Peter intends to speak. In Bulls of a later date the Popes are accustomed to refer to the Bulls of their predecessors. Indeed, the positiveness and the emphasis of the words employed in the more recent Bulls has been noticed. How often did Leo XIII. who for several years, from 1883 onwards, with, if I remember rightly, the sole exception of 1900 (*a Jubilee Year*) and of a period near the end of his life, issued an Encyclical on the Rosary annually, declare that it originated with St. Dominic! And what he said was repeated by Benedict XV in the *Fausto adveniente die*, 29th June, 1921, in these words: 'Profecto e manibus Dominici alumnorumque ejus, magnum illud *adversus haereses et vitia* praesidium accepit Ecclesia, quod Rosario Mariali continetur.'

We, of course, cannot divine of which kind was the evidence, when there was question of the restoration of the Rosary, submitted to Sixtus IV or to his Legate in Germany, Alexander the Bishop of Friuli, and to his Legate in Flanders, Luke the Bishop of Sebenico: that is, we cannot tell whether it was only documentary (*written proof*) or only traditional (*oral proof*) or both documentary and traditional. Sixtus himself throws no light whatever on the matter; Alexander says only '*potius renovata,*

quia per illius primum Patrem Dominicum legitur praedicata in his first Diploma, and '*quae per beatissimum patrem illius Ordinis Dominicum legitur praedicata*' in his second, and Luke says only '*quondam a Beato Dominico eorum Patre, ut fertur, praedicatem innovaverunt.*' But it does seem that Alexander's words point rather to documentary, and Luke's to traditional evidence.

We know that it was at the suggestion and with the assistance of John of Toul, O.P., the Bishop of Dôl, that the Duke and the Duchess of Brittany—François II, and his second Duchess, Marguerite de Foix—presented their petition to Sixtus (see *Mortier*, iv., 643), and that the evidence submitted to Alexander was partly at least given by James Sprenger, O.P., Prior in Cologne and Grand Inquisitor in Germany, and that the evidence submitted to Luke was, apparently, given by the Dominican Prior and community in Lille.

We know by inference that the evidence was submitted for the purpose and in the hope of obtaining from the Holy See, confirmation and indulgences for the restored or revived devotion of the Rosary, because, on their side, in what really are rescripts, the Pope and his two Legates *a latere* do confirm and do grant indulgences.

So, finally, we know that the evidence satisfied the Pope and Legates ; which is quite enough for us.

On the other hand, we are aware that the estimable persons who think they know more about the Rosary and St Dominic than the Dominicans themselves do, and who, therefore, contradict the Dominican tradition and history, would look in vain to any of the Popes for a permission to talk as they like, and still more vainly for a testimony to the truth of anyone of their half dozen hypotheses, or for an approval of a single one of their numerous objections. So certain is this, that, on the contrary, so far as I can say, the only allusion to this denial or contradiction or doubt, ever made by a Pope, is the paternal correction contained in the words of the learned and gentle Benedict XIV, which were quoted above. His work *De Beatificatione* was published about a year before Cuyper's death, which occurred in 1741.

As regards those who imitate him, I have sometimes noticed : either they are unacquainted with the Papal and Legatine documents, or observe a discreet silence about them, or attempt to explain them away, or assert that the statements contained in them regard a purely historical matter, or chafe when the authority of these statements is appealed to in the present controversy, or say that persons who appeal to them regard them as infallible. I have noticed also that Cuyper's followers, as soon as they leave the negative part of the thesis which they hold in common, and enter into a positive part, or pass from destructive to constructive criticism, at once disagree among themselves. One says that the Rosary began among the Beguines, another among the Benedictines, another among the Carthusians, and so on : (in fact, as far as my reading goes, the Carmelite Order is almost the only one for which a claim has not been put in) : and again, one says Peter the Hermit introduced the devotion, another says Alan Roche, and so on (in

all, about six fictitious founders are brought forward). In calling attention to this variety of opinions, I by no means condemn those who hold them; but as I consider it to be a duty, I state a fact.

I notice also that no Pope has ever, in any published document, either official or unofficial, taken the slightest notice of these inventors. The Popes calmly continue to speak with one voice, so that what these ingenious authors assert really does not matter. A person may be compelled to hear them for a while, but he does so reluctantly, and only in order to endeavour to quell the turmoil, so that he and others may be able to listen to the voice of Rome.

The present question is not a merely historical or literary one. With such questions, the Popes, in their official capacity, have nothing to do. It is a devotional or liturgical one. And as long as the opponents of tradition and history confined their efforts to a literary denial, with pen and ink on paper; the Popes remained silent. *Roma tacuit*. But when some of them commenced to propagate their notions by means of medals and rosaries and paintings put up in churches, the Popes spoke, *Roma locuta est*.

Finally, I may here remark—the motto of all these persons is: ‘Sentire cum Bollandista.’ The motto of other persons is: ‘Sentire cum Ecclesia.’

REGINALD WALSH, O.P.

[To be continued.]

DOCUMENTS

APOSTOLIC APPROVAL OF THE CONSTITUTIONS OF THE OBLATE MISSIONARIES OF MARY IMMACULATE

(May 21, 1928.)

LITTERAE APOSTOLICAE

APPROBANTUR AUCTORITATE APOSTOLICA COSTITUTIONES] MISSIONARIORUM
OBLATORUM B.M.V. IMMACULATAE

PIUS PP. XI

Ad perpetuam rei memoriam.—Mirabili plane modo, primis Ecclesiae saeculis, ‘multus numerus credentium conversus est ad Dominum’ Fidei praeconum opera, quos Deus suscitavit, quique uberrimos fructus ex suo labore perceperunt, quia ‘erat manus Domini eum eis’; ita, etiam, progressu saeculorum, pro opportunitate temporum et gentium necessitatibus, continenter in Ecclesia sua suscitatur, vivificatur dilataturque benignissimus Deus sacros virorum coetus, qui primae christianae aetatis praecones aemulati eorundemque spiritu accensi, in longinquas, a patrio loco valde dissitas, regiones lucem Christi afferunt populosque ibidem degentes ad Fidem adducunt atque alii vere a manu Domini ac sustenti, magis magisque in dies mirabiliter succrescunt, robore atque alumnorum numero augentur gentes multas ad Dominum convertunt. Hoc profecto dicendum de Missionariis Oblatis a Maria Immaculata, quorum Institutum, ab hinc fere biennium, vix centesimum annum a canonica sua confirmatione celebravit. Verum parva atque humilia habuit initia congregatio ipsa ad Aquas Sextias prope Massiliam, opera praesertim Caroli Iosephi Eugenii de Mazenod, ab anno MDCCCXXXVII etiam sollertissimi Massiliensium episcopi, qui quinque, sub titulo Missionariorum Provinciae, sibi additis sociis, ad aberrantes populares in rectam salutis viam revocandos, anno MDCCCXVI, totum se dedit. At, dilatatis in vinea Domini laboribus, novisque venientibus sociis, pius fundator, societate sua iuxta ceteras religiosorum familias constituta, regulas quoque seu Constitutiones apte redegit, quas dein Litteris Apostolicis sub anulo Piscatoris die XXI m. Martii, an, MDCCCXXI Leo PP. XII rec. mem. Decessor Noster amplissime approbavit, una cum Instituto ipso, quod, nomine ‘Congregationis Oblatorum Sanctissimae Virginis Mariae sine labe conceptae’ in posterum insignitum, ab eodem de Mazenod, donec viveret, moderandum statuit. Galliae limites praetergressa Congregatio, vivo adhuc conditore, in Anglia et in Hibernia domos habuit; paulo post eiusdem sodales, Americae septentrionalis terras peragrati, missiones plures ibidem a regione Mexicana ad mare arcticum usque constituerunt; dein etiam in orientalibus Indiis atque in Africa meridionali, aliis novisque

sedibus sibi factis, operam suam in gentes Fidei lumine inlustrandas Missionarii Oblati impenderunt. Ab initiis enim fundator sibi sociisque sacras missiones in pagis atque in urbibus patriae regionis praedicandi finem tantum proposuerat, sed brevi, Litteris quidem probantibus Apostolicis tum Gregorii XVI tum Pii IX, ipse, eiusque sodales, evangelizare quoque infideles in dissitis Missionum regionibus deerevere. Cum sollertissimis tamen studiosisque Oblatis a Maria Immaculata haec in nomine Domini agenda ne adhuc sufficerent, praeter dictum primarium finem, tanquam finis secundarius Congregationi tum Seminaria moderari, tum clerum finitimarum dioecesium reformare, iuvenes laicos educare etiam propositum est. Ad quae omnia consequenda institutor sociorumque eius aetas multa laudis imitanda successoribus tulit: in Iesum amorem ardentem, obsequium in Ecclesiam plenum, et in Dominico agro laborandi studium validius quam alia quaecumque res, eademque vita. Nil mirum itaque si anno MDCCCLXI, quum fundato, ac tam frugiferae societatis moderator C. I, Eugenius de Mazenod, Massiliensium episcopus, ex hac vita migravit, iam Congregatio ex quattuor provinciis religiosis constaret, eiusdemque sociis quinque apostolicorum vicariatuum cura in regionibus missionariis commissa esset. Nunc autem, ab approbatione prima Constitutionum vix saeculo elapso, plus quam tria millia sodalium, quorum sexdecim characterem episcopali insigniti, in octo et decem provincias distributa, congregationem constituunt Missionariorum Oblatorum, qui multis in orbis partibus vel longo terrarum marisque spatio sciunetis, sive in Europa et in Americis, sive in Africa meridionali atque in Indiis orientalibus luculentissima suae in Christo caritatis erga populos testimonia praebent, atque uberes salutis fructus colligunt. Vere manus Domini eum illis est! Nostrorum igitur Decessorum vestigia prementibus Nobis peropportunitate videtur vigili cura prospicere ut haec tot tantisque nominibus optime merita religiosorum virorum familia iis omnibus muniatur praesidiis, quae ad eiusdem emolumentum ac bonum provehendum apta sint, et quae ipsius stabilitatem atque integritatem maxime procurent. Quapropter cum hodiernus moderatur generalis Congregationis Oblatorum Beatae Mariae Virginis Immaculatae, venerabilis frater Augustinus Döntenwill, Archiepiscopus titulo Ptolemaidensis in Phoenicia, suo atque universae, cui praest, familiae religiosae nomine, enixis precibus Nos rogaverit ut Congregationis Oblatorum Constitutiones nunc ad Codicis iuris canonici normam emendatas consensu Nostro apostolico munire dignaremur: Nos probe noscentes Constitutiones ipsas, a pio Congregationis ipsius conditore iam primo exaratas et tanquam aptissimas ad fines instituti pertingendos a Decessoribus Nostris pluries probatas fuisse, votis Nobis adhibitis adnuendum ultro libenterque existimavimus. Et re vera, post Litteras Apostolicas *Si tempus unquam* Leonis PP. XII, Institutum regulasque Oblatorum quas supra memoravimus adprobantis, Gregorius PP. XVI, die XX m. Martii an. MDCCCLXVI, Litteris Apostolicis sub anulo, Congregationem praefatam eiusdemque Constitutiones, propter missiones tunc susceptas in regionibus infidelium, hic illic emendatas confirmavit; itemque Pius PP. IX similibus Apostolicis Litteris, die XXVIII Martii an.

MDCCCLI datis, alias a generali coetus capitulo anni praecedentis MDCCCL propositas immutationes auctoritate sua roboravit; anno denique MDCCCX rec. mem. Pius PP. X, die VII m. Septembris, Instituti regulas, cum additionibus atque innovationibus a capitulo generali an. MDCCCVIII celebrato inductis, Litteris suis sub anulo Piscatoris plenissime sanxit.

Verum etiam in praesens ad ipsius Congregationis bono satius consulendum aliae emendationes atque additamenta tum ob novas temporum ac locorum circumstantias tum praesertim ob iuris canonici Codicis promulgationem in supra dictis Constitutionibus desiderabantur; ideoque novum regularum schema, latino sermone exaratum, Sacrae Congregationi Religiosorum Sodalium propositum est atque ab eadem recognitum; cuius quidem tenor hic sequitur, videlicet:

CONSTITUTIONES ET REGULAE CONGREGATIONIS MISSIONARIUM OBLATORUM

SANCTISSIMAE ET IMMACULATAE VIRGINIS MARIAE

PRAEFATIO

Ecclesia, praecleara Christi Salvatoris hereditas . . . (*et quae sunt reliqua*).

Votis itaque venerabilis fratris Augustini Dontenwill, Archiepiscopi titulo Ptolemaidensis, Moderatoris generalis Congregationis Missionariorum Oblatorum a B. Maria Virgine Immaculata, omniumque eiusdem Congregationis sodalium, ut uberiore ipsi cum fructu salutare ministerium suum in terris adimplere valeant, conlatis etiam consiliis cum venerabilibus fratribus Nostris Sanctae Romanae Ecclesiae Cardinalibus Congregationi praepositis pro Religiosorum coetuum negotiis pertractandis, omnibusque rei momentis attente perpensis, motu proprio atque ex certa scientia ac matura deliberatione Nostris deque apostolicae Nostrae potestatis plenitudine, praesentium Litterarum tenore perpetuumque in modum Constitutiones superscriptas Missionariorum Oblatorum, qui a B. Maria Virgine Immaculata nuncupantur, plenissime adprobamus eisdemque supremum Apostolicae sanctionis robur adiicimus. Ominamur nunc propterea et cupimus ut benignissimus Deus frugiferam hanc Congregationem servet ac fovcat; eiusdemque sodales adiutricis sapientiae suae lumine in Evangelio infidelibus praedicando, in sacro animorum ministerio explendo, in sanctificatione adipiscenda prosequatur; atque interea in caelestium munerum auspiciis itemque in peculiaris benevolentiae Nostrae signum Moderatori generali cunctaque Congregationi Missionariorum Oblatorum apostolicam benedictionem effuso animo impertimur.

Haec indulgemus statuimusque decernentes praesentes Litteras firmas, validas atque efficaces igitur exstare ac permanere, suosque plenos atque integros effectus sortiri vel obtinere, eidem Congregationi Missionariorum Oblatorum a B. Maria Virgine Immaculata plenissime suffragari; sicque rite iudicandum esse ac definiendum, irritumque ex nunc atque inane fieri si quidquam secus super his, a quovis, auctoritate

qualibet, scienter sive ignoranter attentari contigerit. Non obstantibus constitutionibus et ordinationibus Apostolicis ceterisque in contrarium facientibus quibuslibet. Volumus autem ut praesentium Litterarum exemplis etiam impressis, manu alicuius Notarii publici subscriptis et sigillo personae in ecclesiastica dignitate vel officio constitutae munitis, eadem prorsus fides adhibeatur, quae ipsis praesentibus, si exhibitae forent vel ostensae, adhiberetur

Datum Romae, apud Sanctum Petrum, sub anulo Piscatoris, die XXI mensis Maii anno MDCCCXXVIII, Pontificatus Nostri septimo.

P. CARD. GASPARRI, *a Secretis Status*.

APOSTOLIC LETTER TO THE CARDINALS, ARCHBISHOPS, AND BISHOPS OF GERMANY ON THE OCCASION OF THEIR ANNUAL CONVENTION AT FULDA

(September 7, 1928.)

EPISTOLAE

AD EŃOS PP. DD. ADOLFUM TIT. S. AGNETIS EXTRA MOENIA S. R. E. PRESB. CARD. BERTRAM EPISCOPUM WRATISLAVIENSEM, MICHAELEM TIT. S. ANASTASIAE S. R. E. PRESB. CARD. DE FAULHABER ARCHIEPISCOPUM MONACENSEM ET FRISINGENSEM, CAROLUM TIT. SS. QUATUOR CORONATORUM S. R. E. PRESB. CARDINALEM SCHULTE ARCHIEPISCOPUM COLONIENSEM, RR. PP. DD. CAROLUM FRITZ ARCHIEPISCOPUM FRIBURGENSEM CETEROSQUE GERMANIAE EPISCOPOS: LITTERIS RESPONDET EX ANNUO CONVENTU FULDA DATIS.

PIUS PP. XI

Dilecti filii Nostri et venerabiles fratres, salutem et apostolicam benedictionem.—Sedulam vos diligentemque dare operam ut communitè negotiis dioecesium vestrarum prospiciatis variisque temporum necessitatibus, ea imprimis consuetudo testatur qua quotannis ad S. Bonifacii sepulcrum ex Germania tota convenire soletis: quod quidem plurimis iam annis evenire laetum est. Ita nuper ex vestris litteris, illine datis, intelleximus, praeter alia, magnae vobis eurae esse ut non modo pueri recte in scholis instituantur religioseque educantur, sed etiam ut in christiana familia sanetudo divinae legis inviolate servetur. Utrumque sane gravissimi est ponderis; cum enim adulescentes spes sint melioris aevi, tum familiam ipsius reipublicae salus, tamquam fundamento, innititur. Item, opportune admodum contra *naturalismum*, uti vocant, industria vestra desudat: namque in praesens maxime, si unquam alias, huiusmodi pestis dominatur ubique; ex quo fit ut, aeternis rebus posthabitis, homines quibusvis vitiorum illecebris se dedant ethnicorumque more vivant. Viam igitur insiste quam sequi, pro iudicio vestro, coniunctim statuistis: fidei etiamque omnem in Redemptore divino collocate qui edixit: 'ego vici mundum.' Nos interea solari vos in coeptis curisque vestris non praetermittimus, hanc scribentes

epistulam in sollicitudine, qua premimur, omnium Ecclesiarum. Pro certo habemus fore ut conatibus vestris sua gratia favcat misericentissimus Deus atque bonorum omnium optata ad effectum deducat.

Atque in caelestium donorum auspiciis itemque in paternae benevolentiae Nostrae signum, vobis, dilecti filii Nostri et venerabiles fratres, universoque clero ac populo unicuique vestrum concedito apostolicam benedictionem amantissime in Domino impertimus.

Datum Romae apud Sanctum Petrum, die VII mensis Septembris anno MDCCCXXXVIII, Pontificatus Nostri septimo.

PIUS PP. XI

APOSTOLIC LETTER TO THE HIERARCHY OF BAVARIA ON 'THE OCCASION OF THEIR CONVENTION AT FRISINGA

(September 17, 1928.)

EPISTOLAE

AD EMOS PP. DD. MICHAelem TIT. S. ANASTASIAE S. R. E. PRESB. CARD. DE FAULHABER ARCHIEPISCOPUM MONACENSEM ET FRISINGENSEM, ADOLFUM TIT. S. AGNETIS EXTRA MOENIA S. R. E. PRESB. CARDINALEM BERTRAM EPISCOPUM WRATISLAVIENSEM, ET AD RR. PP. DD. IACOBUM DE HAUCK ARCHIEPISCOPUM BAMBERGENSEM CETEROSQUE EPISCOPOS BAVARIAE: LITTERIS RESPONDET E. COMMUNI CONVENTU FRISINGA DATIS.

PIUS PP. XI

Dilecti filii Nostri et venerabiles fratres, salutem et apostolicam benedictionem.—Quae dudum a vobis datae sunt litterae ex annuo conventu, Frisingae habito, pietatis vestrae sensus erga Apostolicam Sedem ostendebant simulque voluntatem ea omnia exsequendi quae Nos, pro ratione temporum in quibus militans versatur Ecclesia, scribendo interdum edicimus. Itaque opportune admodum cum regiae Christi potestati publice profitendae tum religioni provehendae Cordis Iesu sacratissimi vos operam dabit; in tanta enim errorum malorumque colluvie, quis validum poterit remedium afferre nisi Christus Redemptor qui est *via, veritas et vita*? Equidem non diffitemur plurimum sane erigi animum Nostrum curis et laboribus quibus vos cum clero vestro contenditis ut omnia istic in Christo instaurentur: imprimisque ut sanctitudo floreat in societate domestica, ut recte instituat iuventus quoad mores religionemque, ut ad pudorem denique ac modestiam feminae revocentur. Sancta haec coepta urgentes, ne cessetis alia persequi catholicae actionis proposita, lectos indesinenter de populo viros fingendo qui, fide praestantes, sacra Ecclesiae iura tueantur atque christianae vitae usum, exemplo praeceuntes, privatim publice cotidie magis promoveant. Nos vero, ut conatus huiusmodi, egregia sollertia vestra plane digni, frugiferi quam maxime fiant, bonorum omnium datorem Deum precamur ut caelesti eos gratiae suae rore fecundare velit

in magnam dioecesium vestrarum utilitatem. Quorum munerum prænuntia itemque paternae benevolentiae Nostrae testis, apostolica sit benedictio, quam vobis, dilecti filii Nostri et venerabiles fratres, universonoq; clero ac populo unieuique vestrum commisso peramanter in Domino impertimus.

Datum Romae apud Sanctum Petrum, die xvii mensis Septembris anno 'mdcccxxxviii, Pontificatus Nostri septimo.

PIUS PP. XI

LETTER TO HIS EMINENCE CARDINAL BISLETI, PREFECT OF THE CONGREGATION OF STUDIES, ON THE OCCASION OF THE GOLDEN JUBILEE OF HIS PRIESTHOOD

(September 18, 1928.)

EPISTOLAE

AD EŒMUM P. D. CAIETANUM S. R. E. CARDINALEM BISLETI PROTODIACONUM S. AGATHAE EUNDEMQUE SACRAE CONGREGATIONIS DE SEMINARIIS STUDIORUMQUE UNIVERSITATIBUS PRAEFECTUM, CUI GRATULATUR QUINQUAGESIMUM SACERDOTI NATALEM.

PIUS PP. XI

Dilecte fili Noster, salutem et apostolicam benedictionem.—Suavi semper animi iucunditate qui sunt ex sacro ordine homines diem illum memorant quo, Dei gratiâ, sacerdotio aucti, caelesti quadam dignitate nobilitati sunt. Itaque cum noverimus annum proxime expletum iri quinquagesimum ex quo initium ipse sacrificandi fecisti, nolimus equidem hoc eventum praeteriri silentio; eo magis quod praeclara Nobis occasio praebetur Nostram erga te benevolentiam publice declarandi. Siquidem exploratum habemus qua fide studioque Apostolicam hanc Sedem nullo non tempore prosecutus sis, variis deinceps muneribus tam naviter perfungendo ut dignus habitus sis qui in amplissimum purpuratorum Patrum Collegium cooptareris. Iamvero tum maxime tua enituit sollertia rerumque dexteritas. Etenim, cum decessor Noster f. r. Benedictus XV Sacram Congregationem Seminariorum Studiorumque Universitatum sapienter condidisset, te, dilecte fili Noster, eidem praefecit, plane confisus frugiferam sane, te duce, rem fore. Neque eum res fefellit. In eo enim sedulam his annis operam posuisti ut non modo Seminaria omnia, opportunis latis legibus de pietate doctrinaque excolenda, instaurarentur, sed etiam ut Seminaria nova pro variis Italiae regionibus, uti Fani et Melphicti, Assisii, Kulari et Potentiae excitarentur e solo, ubi quidem adulescens clerus omni numero a virtute et scientia instructus succresceret. Nec minorem sedulitatem in eo impendisti ut in nonnullis Europae altiorum studiorum domiciliis sacrae etiam disciplinae et ius canonicum traderentur. Ex his quae summatim attigimus, manifesto liquet quam bene de Ecclesia Dei meritus sis; proptereaque Nos, haud secus ac

decessores Nostri, magni quidem te facimus. Fruare igitur tam fausti eventi lactitia, quam undique plurimi quidem gratulantes participant. Nos autem debitas tecum grates sospitatori Deo agentes quod tam multis te beneficiis affecerit, lectissima tibi quaeque precamur; nominatim, ut te benevolentem quam diutissime servet ad laetiora istius, cui praees, Congregationis incrementa. Interca, quo faustae rei recordatio splendidior fiat, simulque in fructum cedat animarum, tibi damus libenter ut, cum volueris, sacris quidem operatus, adstantibus nomine Nostro benedicas, plenam admissorum veniam eisdem proponens, usitatis videlicet Ecclesiae condicionibus lucranda. Ac caelestium conciliatricem munerum, itemque paternae caritatis Nostrae testem esse volumus apostolicam benedictionem, quam tibi, dilecte fili Noster, amantissime in Domino impertimus.

Datum Romae apud Sanctum Petrum, die XVIII mensis Septembris anno MDCCCXXXVIII, Pontificatus Nostri septimo.

PIUS PP. XI

**DECREE OF THE CONGREGATION OF THE DISCIPLINE OF
THE SACRAMENTS REGARDING THE SPIRITUAL EXER-
CISES PRESCRIBED BEFORE SACRED ORDINATION**

(May 2, 1928.)

SACRA CONGREGATIO DE DISCIPLINA SACRAMENTORUM

ROMANA ET ALIARUM

EXERCITIORUM SPIRITUALIUM ANTE SACRAM ORDINATIONEM

27 Aprilis 1928

In plenariis Comitiis H. S. C. die 27 mensis Aprilis curr. anni habitis iudicio Eñorum ac Revñorum Patrum submissum est sequens dubium a Revñõ Ordinario Vrhbosnen. propositum: *An mens sit legislatoris, ut praescriptum can. 1001 § 1 adamussim sercetur etiam in casu, in quo alicui omnes ordines sacri brevissimo tempore, ex. gr. spatio unius mensis, conferantur.* Et Eñi ac Revñi Patres, re mature perpensa, respondendum censuerunt: '*Stetur can. 1001 § 1, idest si qui intra semestre, vel etiam spatio unius mensis ad plures ordines maiores promovendi sint, Ordinarius poterit exercitiorum spiritualium tempus pro ordinatione ad Diaconatum reducere, non tamen infra tres integros dies. Si vero sacri ordines sive beneplacito apostolico, sive decreto Episcopi ad normam can. 1006 § 3, gravi interveniente causa, servatis tamen servandis, praesertim cann. 975-978, distinctis et subsequentibus vel proximis diebus, alicui conferantur, ita ut tempus non suppetat servandi praescriptum can. 1001 § 1, praemissis semper sacro ordini, qui primus erit conferendus spiritualibus exercitiis saltem per sex integros dies, ceteris ordinibus, si*

feri poterit, iudicio Episcopi, ad normam can. 1001 § 2, una saltem dies spiritualis recessus praemittatur.'

Quam responsionem SS^{ms} D. N. Pius Pp. XI, in Audientia diei 1 Maii d. a., referente infrascripto Secretario huius Sacrae Congregationis, ratam habere et adprobare benigne dignatus est.

Datum Romae apud Sacram Congregationem de Disciplina Sacramentorum, die 2 Maii 1928.

✠ M. CARD. LEGA, Episcopus Tusculanus, *Praefectus*.

L. ✠ S.

D. JORIO, *Secretarius*.

ANIMADVERSIONES

1. Exercitia, spiritualia, quorum auctor exstat S. Ignatius de Loyola, Societatis Iesu Fundator, sive lege particulari (Alexander VII, Const. *Apostolica sollicitudo* 7 Augusti 1662; S. C. Ep. et Reg., *Encycl. ad Ep. Italiae*, 9 Octobris 1682), sive laudabili consuetudine, a promovendis ad Sacros ordines, ante Codicis iuris canonici promulgationem, fere ubique peragebantur.

2. Codex vero I. C. hanc saluberrimam disciplinam non solum generalem effecit, sed ad ordines minores et ad ipsam primam tonsuram extendit, praefinitum temporis spatium, pro iisdem explendis exercitiis, singulis ordinibus ipsique tonsurae assignans, prout sancitum est in can. 1001 § 1: 'Qui ad primam tonsuram et ordines minores promovendi sunt, spiritualibus exercitiis per tres saltem integros dies; qui vero ad ordines sacros, saltem per sex integros dies vacent; sed si qui intra semestre ad plures ordines maiores promovendi sint, Ordinarius potest exercitiorum tempus pro ordinatione ad Diaconatum reducere, non tamen infra tres dies.'

3. Quamvis clara concinnaque sit lex, tamen Ordinarius Vrhbosnensis E^morum Patrum Coetui pro Codicis canonibus authentice interpretandis constituto, dubium de re subiecit, quod praefato Coetu huic Sacrae Congregationi delatum est.

4. Et Sacra Congregatio, praeviis Rev^morum Consultorum votis, et re mature perpensa, in Plenariis Comitibus die 27 Aprilis labentis anni in Palatio Apostolico Vaticano habitis, responsum dedit, quod, una cum proposito dubio, supra retulimus.

5. Nunc, quod spectat ad EE. PP. responsum, dicendum est ipsum can. 1001 § intentioni et verbis esse conforme, seu esse declarativum iuris constituti.

6. Re quidem vera, dubium desumitur ex eo, quod, si plures sacri ordines, iuxta allatum canonem, intra semestre alicui conferantur, spiritualia exercitia pro Diaconatu ad tres integros dies Ordinarius coartare valeat, nonne maiore temporis coartatione, secundum legislatoris mentem, pro Diaconatu et ipso Presbyteratu Ordinarius uti poterit, si iidem sacri ordines intra mensem alicui conferantur?

7. Verum, reverentia qua decet, animadvertimus propositum dubium nulla ratione fuleiri, nam, omisso trito illo principio iuris, *legislator quod*

voluit expressit, legenti canonem 1001 § 1 luce meridiana affulget, semestre esse temporis spatium principium et finem habens, et quidquid intra eius limites a lege statuitur, sub eadem legem cadere, quodcumque sit prae-finiti spatii punctum. Stat igitur canonis praescriptum de spiritualibus exercitiis per sex integros dies peragendis, salva exceptione pro Diaconatu, etiam si plures sacri Ordines intra mensem vel brevius tempus alicui conferantur.

8. Non desunt tamen qui canonem de quo agimus benigne interpretari autument ex eo, quod pia animi dispositio ope exercitiorum in Subdiaconatus susceptione acquisita, promovendo ad reliquos ordines si intra mensem eidem conferantur, ob eorum moralem unionem suffragetur; sed neque hoc admitti potest, quia spiritualia exercitia, iuxta normas a S. Ignatio de Loyola traditas, spatio *unius mensis* absolvuntur, et secundum eiusmodi normas S. Carolus Borromaeus, ecclesiasticae disciplinae restitutor insignis, in Concilio prov. Mediolanen. IV, ordinandis suae provinciae ad Subdiaconatum vel ad Presbyteratum exercitia spiritualia peragi iussit. Progressu temporis S. Vincentius a Paulo, alter ecclesiasticae disciplinae strenuus promotor, eadem exercitia suis promovendis alumnis *decem dierum* spatio pro unoquoque sacro Ordine praecipit, quae omnes dies proinde integrum exercitiorum mensem efformant. Et haec S. Vincentii a Paulo disciplina usque ad Codicis promulgationem lege particulari vel consuetudine in Ecclesia viguit.

9. Post hoc, attenta dierum exercitiorum reductione a Codice ad *sex* integros dies facta, dici nequit piam animi dispositionem ad Diaconatum et ad ipsum Presbyteratum, cuius onus angelorum excedit humeros, iam acquisitam fuisse, ope sex exercitiorum dierum pro Subdiaconatu peractorum, ita ut in expositis adiunctis nova dierum coaretatio admitti valeat,

10. At contingere potest, ut sacri ordines conferantur breviori tempore quam mensis spatio, et tempus non suppetat servandi legem. Quid faciendum in isto casu? Respondemus praevalere principium iuris: Lex impossibilia non iubet. Et casus eiusmodi impossibilitatis in relato responso clare admittitur et habetur, quoties Episcopi, sive apostolico indulto, sive facultatibus ordinariis, plures eidem promovendo sacros ordines conferant tribus distinctis et successivis, vel proximis diebus dominicis vel festis de praeepto, et hoc gravi causa interveniente, iuxta can. 1001 § 3, servatisque canonibus 975, de aetate ordinandorum, 976, de studiorum requisitis, et 978 de interstitiis, a quibus postremis ob necessitatem aut utilitatem Ecclesiae Episcopi dispensare possunt.

11. Neque a canonum praescripto videtur ullimode aliena aut difformis facultas, quae vindicata est Episcopo seu Ordinario, coaretandi nempe ad unam tantum diem spirituales recessum ante sacram ordinationem in casu expresso, quippe in hac materia non parum deferendum esse arbitrio et iudicio Ordinariorum, manifestat ipse legislator, statuens in can. 1001 § 2: ‘Si expletis exercitiis sacra ordinatio *qualibet de causa ultra semestre differatur, exercitia iterentur, secus iudicet Ordinarius utrum iteranda sint necne.*’ Ceterum in Codice pro universa Ecclesia catholica condito, non poterant determinari singuli casus, in quibus, per modum exceptionis lex communis ex integro suam applicationem sortiri non

poterat. Quare huiusmodi in adiunctis fideliter id servari debet quod magis est conforme menti sacrorum canonum, quam prudenter legislator numquam praetermisit significare in generalibus Codicis praescriptionibus. Huic criterio innixa haec Sacra Congregatio censuit peropportunum esse quamdam generalem normam proponere Ordinariis, quam sequantur in exposita difficultate, ut secure et uniformiter se gerant in tam gravi negotio.

D. JORIO, *Secretarius.*

A QUESTION OF HEIRSHIP TO ECCLESIASTICAL PROPERTY DECIDED BY THE SACRED CONGREGATION OF THE COUNCIL

(April 23, 1927.)

[*The Decree was published in November, 1928.*]

SACRA CONGREGATIO CONCILII

DIOCESIS P.

HEREDITATIS

23 Aprilis 1927

SPECIES FACTI.—Quidam pius sacerdos diocesis P. nomine Angelus, eum primores loci E. vehementer commovisset ad iuventam trium parochiarum quibus locus constat religione bonisque moribus imbuendam, collata ab illis stipe circ. 30 millium libellarum, plura addens de suis bonis, *patronatum* quemdam constituit a Christo Redemptore, quem, congruis aedificatis sedibus Eius Metropolitae anno sacro MDCCCC auspiciavit. Ad instituti perpetuitatem procurandam, idem sacerdos, quinto post anno, societatem, ut aiunt, *continariam* inivit, cui proprietatem inscripsit, seu vendidit summa recepta 100 millium libellarum: sed brevi post, commotus periculo, cui, ex futuris legibus talis societas obnoxia praevidebatur, hac dissoluta, ipse gratis redit in dominium pii Instituti. Anno 1918 idem absolute, seu nulla adiecta condicione seu modo, testamento, heredem dixit sacerdotem quemdam Ioannem diocesis V., cui etiam direxit epistolam, in qua eum docet se eum instituisse heredem ‘perchè avesse a continuare l’opera del Patronato, *possibilmente* com’era, a vantaggio della gioventù maschile di E.’ Ioannes hereditatem non adivit, nisi postquam ab utroque Episcopo, diocesis V. ac diocesis P. suusus est ita facere, quia vi testamenti libere seu pro conscientia hereditatis bonis disponere posset, in favorem christianae iuventutis. Re quidem vera statim Patronatum augere conatus est, immo orphanis totius regionis, etiam extra parochiam et diocesis, adiuvandis destinare. Quod cum acre ferrent incolae loci remque tandem ad novum Episcopum P. detulissent, hic, ne praedecessoris acta iudicare videretur, sententiam sacri huius Consilii rogavit, in qua diseptatum est dubium sequens: ‘Utrum testamentum D. Angeli in favorem D. Ioannis contineat transmissionem fiduciarium ad conservanda bona utilitate Patronatus in casu, an potius liberam heredis institutionem.’

ANIMADVERSIONES.—Notum est quamlibet dispositionem ad causas pias

piae voluntatis nomine donari, sive per actum mortis causa fiat, quo casu dicitur *ultima*, sive etiam inter vivos: cfr. can. 1515 coll. c. 1513. Si alicui personae *moralis* in Ecclesia concedatur, habetur *fundatio pia* ad normam can. 1544 ss. et bona fiunt stricto sensu *ecclesiastica* (c. 1497 § 1); secus manent laicalia, obnoxia tamen executioni ac vigilantiae Ordinariorum, ad mentem can. 336, 344, 1515-1517, ex quibus praesertim notetur can. 1516 de bonis 'fiduciariis acceptis' quod dicitur fieri posse non solum ex testamento sed etiam per actum quemlibet, vel inter vivos. Planum tamen est quempiam libere de *suis* bonis statuere posse, donec *sua* sint et ideo, salva naturali aequitate, etiam praevias dispositiones, re integra, seu cum nullum tertio ius acquisitum est, posse immutare et etiam delere, aut de pio in profanum finem vertere posse.

In casu quidem patet non agi de bonis stricto sensu *ecclesiasticis*, cum nec Patronatus ecclesiastica auctoritate sit moralis persona constitutus, nec alicui aliae personae *moralis* conceditur. Sed agitur profecto de *pia* causa, seu de bonis ad pium finem a conditore et testatore relictis ad normam can. 1513. Id quidem evidentissimum est, quoad ipsum conditorem, de bonis collata stipe circ. lib. 30.000 initio acceptis ex parte primorum loci E., quorum bonorum ipse D. Angelus non potuit nisi administrator esse, seu fiduciarius: nec ideo circa haec proprietatem heredi transmittere valuit, quam non habebat. Sed et reliqua bona ab ipso conditore D. Angelo collata, et relictas per testamentum heredi Ioanni, huic fiduciariis relictas habenda sunt in casu. Licet enim in testamento huius fiduciae nulla mentio fiat—nec fieri poterat, obstantibus (ut notum ut) legibus civilibus, quae fidei commissa non probant—huiusce rei aperte meminit in litteris eadem die ad heredem datis, quae huius conscientiam plane ligant, ex can. 1513 § 2. Nec obstat verbum *possibilmente* in litteris eisdem adhibitum, quod nempe non percutit generalem dispositionem, 'continuaré l'opera,' sed modum tantum 'possibilmente com'è,' nec, quoad hunc ipsum modum, rem permittit mero arbitrio heredis—quod in facto exercere voluit Ioannes—sed omnem possibilitatem antea temptandam iubet, et in casu necessitatis, delegat, sine dubio, ad can. 1517 constituti iuris. Ex quo canone docemur, iuris condicionem non inmutasse subiectivam opinionem utriusque Episcopi dioecesis P. et V. ab Ioanne consulti; quippe in casu commutatio reserretur Apostolicae Sedi, cum potestas *expresse* Ordinario loci non sit concessa, et alii inutiliter concederetur.

Quare, etc.

RESOLUTIO.—Sacra Congregatio Concilii in plenariis Eñorum ac Revñorum Patrum comitiis in Palatio Apostolico Vaticano habitis die 23 Aprilis 1927 ad propositum dubium respondendum censuit:

'*Affirmative* ad primam partem, *negative* ad alteram; et applicentur in re can. 1515, 1516 et, si opus fuerit, can. 1517.'

Quam resolutionem referente infrascripto Sacrae Congregationis Secretario in audientia diei 2 Maii subsequenti SSñus Dominus Noster Pius divina Providentia Pp. XI approbare et confirmare dignatus est.

L. ✠ S.

✠ IULIUS, Ep. Tit. LAMPSACEN, *Secretarius*.

APOSTOLIC LETTER TO CARDINAL O'CONNELL, CARDINAL DOUGHERTY, CARDINAL MUNDELEIN, CARDINAL HAYES, THE ARCHBISHOPS AND BISHOPS OF THE UNITED STATES ON THE CATHOLIC UNIVERSITY OF WASHINGTON, U.S.A.

(October 10, 1928)

EPISTOLAE

AD EMOS PP. DD. GUILIUM TIT. S. CLEMENTIS S. R. E. PRESB. CARDINALEM O'CONNELL, ARCHIEPISCOPUM BOSTONIENSEM; DIONYSIUM TIT. SS. NEREI ET ACHILLEI S. R. E. PRESB. CARDINALEM DOUGHERTY, ARCHIEPISCOPUM PHILADELPHIENSEM; GEORGIUM G. TIT. S. MARIAE DE POPULO S. R. E. PRESB. CARDINALEM MUNDELEIN, ARCHIEPISCOPUM CHICAGIENSEM; PATRITIUM J. TIT. S. MARIAE IN VIA S. R. E. PRESB. CARDINALEM HAYES, ARCHIEPISCOPUM NEO-EBORACENSEM, ATQUE AD CETEROS RR. PP. DD. ARCHIEPISCOPOS ET EPISCOPOS FOEDERATARUM AMERICAE CIVITATUM: DE INCREMENTIS CATHOLICAE UNIVERSITATIS STUDIORUM WASHINGTONIENSI PROMOVENDIS.

PIUS PP. XI.

Dilecti filii Nostri et venerabiles fratres, salutem et apostolicam benedictionem.—Quoniam maximae Nobis curae est ut coepta vestra ad optatum perducantur exitum, eaque imprimis quae ad christianam inventutis institutionem pertinent, ideo valde Nos de profectu laetamur catholicarum scholarum, collegiorum et Seminariorum; nominatim vero de incrementis quae a vobis Washingtoniensi studiorum Universitati allatae sunt; quo enim haec magis floruerit, eo feliciter cetera instituta vestra vigeant. Quae quidem incrementa ven. fratrem Thomam Shahan, Episcopum tit. Germanicopolitanum, Athenaci eiusdem Rectoris emeritum, praecipue fovisse, cum ipsi noveritis tum et omnes fatentur quorum interest religionem coniunctis revelationis rationisque viribus defendi ac promoveri quapropter cum, ultro munus, quo tertio egregie functus erat, deponentem, et debitis laudibus prosecuti sumus et ad Solium Nostrum Adstatorem perlibenter renuntiavimus. Itaque factum est ut, cum alius in eius locum Rector Magnificus sufficiendus esset, consilio Sacrae Congregationis de Seminariis et studiorum Universitatibus, dilectum filium Iacobum Ryan, Antistitem Urbanum, iudicio etiam vestro probatum, ad Washingtoniense Athenacum regendum nuper eligeremus: ac fore spes est ut is, vobis quidem auctoribus ac ducibus, tantum opus cotidie magis provchere queat. Iamvero Nos, tam praecelaram occasionem nacti, nonnulla hic recolere volumus quae Apostolicae Sedis mentem voluntatemque de Athenaco vestro vel condendo vel promovendo summam delectent. Etenim, iam inde ab initio decessor Noster Leo XIII, patribus postulantibus Baltimorensis Concilii tertii, consilium ab ipsis initum Universitatis studiorum constituendae omni laude dignissimum iudicavit. Cumque autem rationes quibus Episcopi Universitatem omnino necessariam esse affirmabant, progressu temporis

usque graviores instarent, mirum non est si decessores Nostri f. r. Pius X et Benedictus XV peculiari quadam cura atque sollicitudine Athenacum ipsum succrescens foverunt animosque Episcopis addiderunt, optime ab ipsis iam gesta laudando. Itaque, rogantibus Episcopis, decretum est ut Washingtoniensis studiorum Universitas sub auctoritate tutelaque omnium istius regionis sacrorum Antistitum perpetuo esset; ut de alia Universitate in Foederatis septentrionalis Americae Civitatibus condenda agi non posset nisi postquam omnes facultates ordinariae in Washingtonensi Athenaeo constitutae essent; ut, denique, ad hanc sustentandam Universitatem, pecuniae vis in unaquaque dioecesi singulis annis corrogaretur. Huc accedit quod constitutiones Universitatis—quae quidem nuper, exquisita prius Episcoporum omnium sententia, emendatae sunt—haec habent, inter alia, de Universitate provehenda: ‘Quotquot igitur regunt atque administrant Universitatem vehementer solliciti sint de eius incremento magis magisque fovendo.’ Haec autem cum eis plane cohaerent quae Leo XIII, antea ad Eminentissimum Virum Iacobum Gibbons, Archiepiscopum Baltimorem (Litteris die x Aprilis MDCCCLXXXVII datis) et deinde ad omnes istius regionis Episcopos (Litteris die VII Martii MDCCCLXXXIX datis)—ut sequitur—scripsit: ‘Quoniam vero haec magna studiorum Universitas non modo ad Patriae vestrae decus augendum pertinet, sed uberes et salutare fructustum ad sanae doctrinae propagationem tum ad catholicae pietatis praesidium pollicetur, iure confidimus americanos fideles, pro sui magnitudine animi, suae liberalitatis open, ad coeptum opus splendide perficiendum, desiderari a vobis non passuros.’ Ex qua quidem Romani Pontificis sollicitudine spes haud exigua futurae Instituti vestri prosperitatis non modo apud catholicos commota est, sed etiam apud eos omnes qui non ignorant Ecclesiam, saeculorum decursu studiorum generalium atque Universitatum parentem et altricem perpetuo fuisse. Quare, quemadmodum ipsimet, dilecti filii Nostri et venerabiles fratres, intelligitis, dedecere Ecclesiam videretur si Universitas vestra eam, quam finis eius postulat, perfectionem non attingeret; eo magis quod tam multae istie florent studiorum Universitates vel privatorum vel societatum acatholicarum munificentia sustentatae. Neque est praetereundum plurimas sane fuisse utilitates quae, hoc quadraginta annorum spatio, ex Universitate ista in dioeceses, scholas, religiosas familias, ecclesiasticos laicosque viros prodire; unde perspicere licet quot et quanto maiora beneficia ex ipsa proficiscerentur si rebus omnibus instrueretur quibus, ad propositum sibi finem assequendum, affluere eam oporteret. Ad fideles autem quod attinet, dubitandum non est quin iidem hac in re, quemadmodum in ceteris quae ad religionis bonum spectant, libenter Pastoribus sacris morem gerant. Edoceantur tantummodo oportet, Washingtoniensem studiorum Universitatem natam esse cum ad sacri ordinis homines, tum ad iuvenes quoque laicos instituendos, qui altioribus ibidem disciplinis ita imbui queant, ut non modo aptissimi, si opus erit, praeceptores evadant quibus scholarum catholicarum alumni erudiendi committantur, sed etiam ea christianae sapientiae cognitione excellent

qua et Ecclesiae iura strenue tueantur et acatholicorum existimationem sivimet rei que ipsi catholicae concilient. Neque putetis dilecti filii Nostri et venerabiles fratres, posse vos studiosam iuventutem vestram a frequentandis acatholicis Athenacis arcere nisi Universitas vestra, et numero facultatum et doctorum peritiâ cum iis studiorum domiciliis, quae diximus, merito comparari atque certare facile possit. Ad sanctissimum igitur perficiendum opus magna, uti liquet, pecuniae vis quotannis corroganda est; cuius quidem colligendae curam non moderatoribus, nedum Universitatis Rectori, relinquatis, sed in vosmet ipsos, clero adiutore, suseipiatis oportet, cum vobis persuasissimum esse debeat, quidquid in Universitatis incrementum confertur, non id a dioecesium vel paroeiis detrahi, sed potius reddi collatam pecuniam usuris auctam spiritualibus, quibus cleri populique profectus feliciter augeatur. Id ipsum Nos quidem vobis vel ab inito Pontificatu scripsimus: 'Quod si paucis necessario Universitas committitur regenda atque administranda, omnibus tamen cordi incrementum eius esse debet, cum in bonum omnium Americae dioecesium eadem exeat sit.' Quo in genere putamus utilissimum fore Universitati si certus quidam dominicus dies, unus et idem pro America universa, constituatur, quem *Universitatis diem* nuncupari licebit: quo quidem die clerus in omnibus templis, propositis rationibus ac necessitatibus Athenacii Washingtoniensis, populum ad maiorem quam poterit largitatem exeat et stipem, quo modo Ordinario placuerit, corrogandam curet. Idque ceteroquin per reliquum anni tempus neglegendum non erit. Quid enim vetat quominus in unaquaque dioecesi et paroeia ex iis sacerdotibus et fidelibus, qui velint Universitati aliquanto certiora et firmiora, quantum in se erit, caritatis suae beneficia impertire, consociatio quaedam coalescat in varias distincta classes seu ordines pro maiore vel minore annua pecuniae vi, quam se quisque daturum promittat ac spondeat? In qua cavendum ne suus pueris locus et ordo desit, qui, ut molliore sunt animo et ad nobilissima quaeque plerumque comparato, maximum Institutum vestrum, quod didicerint esse et fore suae religionis et patriae praesidium, facile, parentibus ducibus ac suasoribus, amabunt et de suo peculiolo certatim iuvare studebunt: siquidem consentaneum plane est ut Universitati ab ipsa pueritia opituletur qui, cum adoleverit, sapientiam ibidem hauriet et omnia quae ad vitae laudem pertineant. Habetis igitur, dilecti filii Nostri et venerabiles fratres, quae in Athenacii Washingtoniensis bonum vobis, pro apostolico officio ac paterna sollicitudine Nostra, proponere censuimus: etsi vix quidem opus erat ut haec vos doceremus; cum in hoc etiam rerum genere—nempe in coeptis optimis corrogata stipe promovendis—magnopere ipsi excellatis. Hisce omnibus ad effectum deductis, fieri non poterit quin Rectori novensili suppetat unde, auctis magisteriis studiorumque adiuventis, fructuosius suo munere perfungatur. Rem de cetero Nobis pergratam feceritis si quae Athenacii magni profectum, iudicio cuiusque vestro, aut maturare aut retardare queunt, de iis Nos diligenter edocueritis, ut quoties res postulaverit Nostram interponere auctoritatem utiliter possimus. Interea caelestium praenuntia donorum itemque paternae benevolentiae Nostrae testis apostolica sit benedictio, quam

vobis, dilecti filii Nostri et venerabiles fratres, clero et populo vigilantiae vestrae concredito iisque omnibus qui quoquo modo Universitatem iuverint amantissime in Domino impertimus.

Datum Romae apud Sanctum Petrum, die x mensis Octobris anno MDCCCXXVIII, Pontificatus Nostri septimo.

PIUS PP. XI

**APOSTOLIC LETTER GRANTING A PLENARY INDULGENCE
FOR RECITATION OF THE ROSARY IN PRESENCE OF THE
BLESSED SACRAMENT**

(September 4, 1927)

LITTERAE APOSTOLICAE

INDULGENTIA PLENARIA CONCEDITUR RECITANTIBUS MARIALE ROSARIUM
CORAM SS^{MO} EUCHARISTIAE SACRAMENTO.

PIUS PP. XI

Ad perpetuam rei memoriam.—Ad Sancti Dominici, Bononiensi in civitate, proximis diebus sollempnissima Conventus eucharistici habebitur celebratio, quam ad excitandam provehendamque christifidelium pietatem erga Sanctissimum Eucharistiae Sacramentum summopere profuturam confidimus. Generalis vero Magister Ordinis Praedicatorum, cum in amplissimam sui Ordinis Basilicam, in qua corpus Fundatoris religiosissime servatur, ipsius, Congressionis coetus conveniant, enixis precibus Nos rogat ut peculiari de thesauro Ecclesiae indulgentia, praeclara haec faustaque occasione, christifideles donemus, qui Rosarium Beatæ Mariæ Virginis, a Patriarcha Sancto Dominico ad honorem Deiparae institutum, ante augustum D. N. Iesu Christi sub velis eucharisticis delitescens Sacramentum recitaverint. Quibus supplicationibus Nos, cognitum ac perspectum habentes opportunum admodum esse ut hanc Indulgentiam concedamus, quæ, cum a Sancto Dominico simul atque a pietate eucharistica suam originem repetat, Conventus eucharistici Bononiensis, cuius certo quodam modo præfata Sancti Dominici ecclesia cardo erit, peculiare quoddam mnemosynon ac monumentum existat, adnuere statui-mus, atque ita præcipua Nostræ voluntatis significatione pii eventus sollempnitatem augere. Conlatis igitur consiliis cum dilecto filio Nostro S. R. E. Cardinali Poenitentiario Maiore, de omnipotentis Dei misericordia, atque eius apostolorum beatorum Petri et Pauli auctoritate confisi, omnibus et singulis christifidelibus, qui poenitentes et confessi ac sacra Communionem iuxta morem sint refecti, ante Sacratissimi Corpori Christi Sacramentum ad publicam fidelium venerationem expositum, vel etiam in Tabernaculo adservatum, tertiam Beatæ Mariæ Virginis Rosarii partem devote recitantibus, quotiescumque id egerint, *Plenariam Indulgentiam* et remissionem misericorditer in Domino in perpetuum concedimus. Contrariis non obstantibus quibuslibet.

Haec statuimus, decernentes praesentes Litteras firmas, validas, atque efficaces semper exstare ac permanere; suosque plenos atque integros effectus sortiri et obtinere; illisque ad quos pertinent sive pertinere poterunt, nunc et in posterum amplissime suffragari; sieque rite iudicandum esse ac definiendum, irritumque ex nunc et inane fieri, si quidquam secus super his, a quovis, auctoritate qualibet, scienter sive ignoranter attentari contigerit.

Datum Romae apud Sanctum Petrum, sub anulo Piscatoris, die IV mensis Septembris anno MDCCCXXVII, Pontificatus Nostri sexto.

P. CARD. GASPARRI, *a Secretis Status.*

DECREE CONCERNING ABSOLUTION OF ADHERENTS TO 'L'ACTION FRANÇAISE'

(November 16, 1928)

SACRA POENITENTIARIA APOSTOLICA

DE CONFESSARIIS ABSOLVENTIBUS ADHAERENTES FACTIONI 'L'ACTION
FRANÇAISE.'

DECRETUM

Etsi serio dubitari nequeat, post iteratas Sacrae Poenitentiariae Apostolicae resolutiones et declarationes circa damnatam in Gallia factionem vulgo 'L'Action Française,' quin mortaliter peccent confessarii sacramentalem absolutionem impertientes huius factionis sociis aut quomodocumque eidem actu adhaerentibus, nisi antea eam ex animo penitus repudiaverint; non desunt tamen ibidem sacerdotes, qui, uti ex certis fontibus constat, propriae conscientiae fucum facientes, tam gravi facinore sese foedare non vereantur.

Ad horum, ne pereant, pervicaciam frangendam, cum hortamenta, monita, minae nihil profecerint, Sancta Sedes, ecclesiasticae disciplinae custos et vindex, ad remedia graviora manus apponere, aegre quidem sed necessario, compellitur.

Quare de expresso Ssmi Domini Nostri mandato Eoque adprobante et confirmante, Sacra Poenitentiaria statuit ac decernit peccatum confessoriorum sacramentaliter absolventium quos quomodocumque noverint factioni 'L'Action Française' actu adhaerentes quique ab ipsis, uti tenentur, moniti, ab ea se retrahere renuant, Sanctae Apostolicae Sedi reservari.

Huius reservationis ea vis est ut in illis quoque casibus, in quibus iuxta canonicas dispositiones quaevis reservatio cessat, onus adhuc remaneat praedictis sacerdotibus ad S. Poenitentiarium recurrendi, sub poena excommunicationis specialiter Sanctae Sedi reservatae, intra mensem a die obtentae sacramentalis absolutionis, vel postquam convalescerint si aegroti, et standi eius mandatis.

Ordinariorum erit Superiorumque familiarum religiosarum, graviter

onerata eorum conscientia, Decretum huiusmodi ad sacerdotum sibi subditorum certam, ne ignorantiam in excusationem allegare audeant, notitiam, quo opportuniore modo iudicaverint, quamprimum deferre. Qui insimul sciant nihil per hoc praecedentibus hac in re declarationibus ac praescriptionibus detrahi, praesertim de procedendo contra inobedientes ad canonicas sanctiones.

Datum Romae, ex Sacra Poenitentiaria Apostolica, die 16 Novembris 1928.

L. CARD. LAURI, *Poenitentiarius Maior.*

L. ✠ S.

I. TEODORI, *S. P. Secretarius.*

ERECTION OF AN ABBATIAL CHAPTER

(June 29, 1928)

CONSTITUTIO APOSTOLICA NULLIUS SEU NONANTULANA

DE CONFIRMATIONE SEU ERECTIONE CAPITULI ABBATIALIS

PIUS EPISCOPUS

SERVUS SERVORUM DEI

AD PERPETUAM REI MEMORIAM

Valde decet Romanum Pontificem, ad divini cultus splendorem augendum, ecclesias illas, quae dignitate prae ceteris excellunt, peculiaribus praerogativis decorare, ibique canonicorum Capitula vel ex novo erigere, vel iam erecta Apostolicae confirmationis robore munire, prout pia ipsarum ecclesiarum praesulum ac fidelium vota exposcunt.

Cum itaque clerus et populus Nonantulanae abbatiae, metropolitanae Ecclesiae Mutinensi perpetuo unitae, ac in primis venerabilis frater Ioseph Antonius Ferdinandus Bussolari, hodiernus Archiepiscopus Mutinensis et eiusdem abbatiae Abbas, qui vota quoque exprimit ac prosequitur bo. me. Natalis Bruni, sui immediati antecessoris, enixas Nobis preces porrexerint, ut Capitulum abbatiale, iam recedentibus monachis institutum, a Nobis confirmaretur, vel, quatenus opus sit, cum certo non constet Apostolica auctoritate erectum esse, ex novo erigeretur: Nos, prae oculis habentes Nonantulanam abbatiam inter celebriores iure esse adnumerandam, quippe quae tantam religionis et scientiae lucem effuderit, oblatis precibus libenter annuendum censuimus. Quare, suppleto quorum interest, vel eorum qui sua interesse praesumant consensu, abbatiale Capitulum Nonantulanum actu existens Apostolicae potestatis plenitudine confirmamus et canonicè constitutum declaramus, vel, quatenus opus sit, ex novo per praesentes Litteras erigimus, ita ut ipsum verum Capitulum nuncupari et haberi possit cum omnibus iuribus et privilegiis huiusmodi Capitulis propriis sub modo tamen et legibus quae sequuntur:

I. Capitulum duabus dignitatibus, Prioratu nempe et Archipresbyteratu, et septem Canonicis constabit, quibus addere, quum opportunum visum fuerit, aliquot beneficiatos minores seu mansionarios Archiepiscopo-Abbati fas erit. Prima autem dignitas, idest Prior, caput erit Capituli

ceterosque praecedet. Archipresbyteratui vero adnexa erit cura animarum parociae S. Michaelis Archangeli in civitate Nonantula; haec proinde altera dignitas titulo gaudebit Archipresbyteri-Parochi. Septem autem Canonici iuxta prioritatem possessionis praecedentiam habebunt. Ex iis, uni officium Theologi assignetur, alteri, si fieri poterit, officium Poenitentiarum.

II. Cum modo praebendae, tum pro dignitatibus, tum pro Canonicis institutae non habeantur, indulgemus ut interim Capitulares, suas praebendas non habentes, fructus tantummodo percipiant, qui ex summa sponte oblata promanant.

III. Archiepiscopo-Abbati libere tum dignitates, tum canonicatus in praesenti conferre liceat. Si quando autem praebendas constituendas fore contigerit, tunc ipsarum collatio fiat iuxta sacrorum canonum praescripta et cum reservationibus in iure statutis.

IV. Canonicis parocias, quas in actu nominationis possideant, retinere vel alias assumere fas sit, ac pro munere suo fructus utrimque percipere.

V. Omnes et singuli capitulares parati sint ad ea officia et ministeria libenter suscipienda naviterque obcunda, quae Ordinario, suo prudenti iudicio, illis committere placuerit. Quo autem diligentius unusquisque officii suis fungatur, Ordinarius, audito Capitulo, punctaturam aliquam praestituat in negligentes sive in suo officio adimplendo sive in choralis servitio persolvendo. Legitime impediti iuxta iuris normas praesentes habeantur. Pars autem fructuum quae a negligentibus amittitur diligentibus accrescat.

VI. Usque dum haec oeconomica conditio Capituli permaneat, chorale servitium ad Horas minores et Missam conventualem tantum coaretetur, et quidem diebus festis ab Archiepiscopo-Abbate, audito Capitulo, determinandis, qui maiore solemnitate in ecclesia abbatali celebrantur.

VII. Missa conventualis per turnum celebrabitur diebus quibus chorale servitium habeatur, reservata tamen Canonico Priori celebratione diebus solemnioribus.

VIII. Pro maiore clarissimae abbatae decore et ornamento insignia canonicalia haec erunt: Canonici, habitu communi seu piano incedentes, gestare poterunt vestem talarem nigram cum ocellis, globulis, torulo ac subsubto violacei coloris; sericam zonam violaceam cum laciniis pariter sericis et violaceis; insuper collare, tibialia et chordulas cum floccis ad galerum item violacei coloris. In sacris vero functionibus, quibus intersit Capitulum, usum concedimus rocheti cum manicis violacco colore subsubtis, necnon hiemali tempore cappae magnae ex tela lanca violacea cum pellibus cinereis, tempore autem aestivo usum mozetae violaceae; palmatorium insuper et canonem adhibere poterunt. His omnibus et singulis insignibus Canonici uti valebunt non infra limites tantum propriae abbatae, sed in Mutinensis quoque archidioecesis toto territorio.

IX. Capitulum Nonantulanum super alia Capitula praeter metropolitanum Mutinense praecedentiam habeat in ecclesia abbatali eiusque territorio. Quandocumque vero metropolitanum Capitulum Mutinense et abbatale Nonantulanum simul convenerint, metropolitanum super abbatale praecedentiam habeat; atque idipsum erit observandum quoties duo Capitula ista fuerint insimul denominanda vel inscribenda.

X. Capitulum quamprimum sua statuta seu constitutiones ad normam iuris conficiat, quae Archiepiscopus-Abbas sua approbatione firmare debet.

Ad haec autem exsecutioni mandanda eundem venerabilem fratrem Iosephum Antonium Ferdinandum Bussolari, Archiepiscopum Mutinensem et abbatiae Nonantulanae perpetuum Abbatem deputamus ac eidem omnes facultates necessarias et opportunas tribuimus, etiam subdelegandi ad effectum de quo agitur quemlibet virum in ecclesiastica dignitate constitutum, cum onere ad Saeram Congregationem Consistorialem infra sex menses, ab his Litteris datis computandos, transmittendi authenticum exemplar peractae exsecutionis. Volumus insuper ut harum Litterarum transumptis etiam impressis, manu tamen alicuius notarii publici subscriptis ac sigillo viri in ecclesiastica dignitate vel officio constituti munitis, eadem prorsus tribuatur fides, quae hisce Litteris Nostris tribueretur, si originaliter exhibitae vel ostensae forent.

Decernimus denique has Litteras Nostras validas, firmas atque efficaces iugiter exstare ac permanere, suosque plenarios et integros effectus sortiri et obtinere, constitutionibus et ordinationibus Apostolicis ceterisque contrariis, etiam speciali mentione dignis, non obstantibus. Nemini autem quae praesentibus Litteris decreta ac statuta sunt infringere vel eis contraire liceat; si quis vero ausu temerario hoc attentare praesumpserit, indignationem omnipotentis Dei ac beatorum Petri et Pauli, apostolorum eius, se noverit ineursurum.

Datum Romae apud Sanctum Petrum, anno Domini millesimo non-gentesimo vigesimo octavo, die vigesima nona mensis Iunii, in festo Ss. Apostolorum Petri et Pauli, Pontificatus Nostri anno septimo.

FR. ANDREAS CARD. FRÜHWIRTH,
S. R. E. Cancellarius.

CAROLUS CARD. PEROSI,
S. C. Consistorialis Pro-Secretarius.

IOANNES ZANI-CAPRELLI,
Protonotarius Apostolicus.

ALFONSUS CARINCI,
Protonotarius Apostolicus.

Loco ✠ Plumbi

Reg. in Canc. Ap., Vol. xxiv. n. 1.

APOSTOLIC LETTER CONFIRMING THE CONSTITUTIONS OF THE CANONS REGULAR OF ST. AUGUSTINE

(November 25, 1926)

LITTERAE APOSTOLICAE

AUCTORITATE APOSTOLICA DENUO CONFIRMANTUR CONSTITUTIONES CANONISSARUM REGULARIUM SANCTI AUGUSTINI CONGREGATIONIS A DOMINA NOSTRA.

PIUS PP. XI

Ad perpetuam rei memoriam.—Decimo sexto reparatae salutis labente saeculo, Petrus Fourier, quem rec. mem. decessor Noster Leo Pp. XIII

in Sanctorum numero inscripsit, Vincentii a Paulo coevus atque aemulator, ut puellarum, quae christianae institutionis ope destitutae essent, rectae educationi consuleret, sapienti consilio Congregationem a Nostra Domina appellatam Canonissarium Sancti Augustini constituit. Pio autem in opere sollertem adiutricem habuit Aliciam de Leclere, quae, cum iam egregiae virtutis atque extra ordinem donis illustrata adulescentula esset, ita postea pie sancteque vitam duxit, ut modo apud Sacrorum Rituum Congregationem eius Beatificationis causa inita sit. Ipsa igitur, nonnullis sibi adiunctis sociis, sub sancti Petri Fourier disciplina, spirituali puellarum bono totam se dedit. Fundatrix novi pro puellis educandis instituti, non minus quam primae eiusdem sociae, prorsus mirabilibus animi dotibus effulsit, tanti sub magisterio viri, qui eas prudentia singulari, doctrinae verbo ac bonorum operum exemplo ad frugiferum propositum attingendum excitabat. Ineuntis vero societatis statutis constitutionibusque triginta per annos Petrus Fourier assiduo studio adlaboravit, voluitque potissimum ut Canonissae eadem, alumnarum eruditioni et magisterio addictae, cum exteriori vitae habitu interiorem orationis spiritum sociarent, numquam intermissa quotidiana in choro Horarum canonicarum recitatione. Duplicem hunc vitae tenorem, actionis nempe et contemplationis, iterum iterumque quoad vixit sanctus conditor ac legifer verbo scriptisque filiabus in Christo suis commendavit; idque in primis exaratae ab eodem regulae monent iubentque. Anno MDCXV praedecessor Noster Paulus Pp. V rec. mem. regulas easdem prima vice probavit; anno vero MDCXXVIII Urbanus Pp. VIII, cum nonnulla Congregationis privilegia recognoverit, statuta quoque eiusdem rata habuit; Innocentius denique Pp. X per Litteras sub plumbo datas die XXV m. Augusti an MDCXXXV sollemnem definitivamque Apostolicae Sedis sanctionem Congregationis Canonissarum Regularium Sancti Augustini constitutionibus ac regulis largitus est. Mirandum autem in modum Congregatio eadem percrebuit; dum enim adhuc in vivis ageret sanctus fundator, quinquaginta fere domus in Gallia, Hollandia, ac Belgio florebant. Post vero obitum sancti Petri et in Germaniam atque in Sabaudiam, extra quoque Europam et in Americam et in alias vel longo terrarum marisque spatio sciunctas ditiones Canonissae Sancti Augustini migrarunt, atque uberrimam ubique spiritualem segetem messuerunt. At terribila illa rerum omnium perturbatio, quae in Gallia saeculo decimo octavo exarsit, huic quoque frugiferae Religiosarum Congregationi gravia damna iacturasque intulit; sed, iisdem dolorum cruciatuumque temporibus transactis, Canonissarum earundem Institutum iterum sese extendit, ac feliciter ad hodierna nostra tempora pervenit. Nil mirum itaque si, labentibus annis, nonnulla e constitutionibus, quas sanctus Petrus Fourier exaravit, praesentium temporum necessitatibus minus apta videantur; ac propterea moniales ipsae Canonissae Regulares S. Augustini, a Nostra Domina nuncupatae, humiliter ad Nos preces admovent ut suae Congregationis Constitutiones, quae nuper accommodatae sunt ad normas novi iuris canonici Codicis, sanctione Apostolica denuo confirmemus. Quae quidem emendatae Constitutiones, gallico sermone exaratae, a Sacra Congre-

gatione Religiosorum Sodalium praeposita negotiis, sunt recognitae, earumque tenor hic est qui sequitur, videlicet :

LA RÈGLE DE SAINT-AUGUSTIN

DISTINGUÉE PAR CHAPITRES

POUR L'USAGE DES CHANOINES RÉGULIÈRES DE SON ORDRE APPELÉES
DE LA CONGRÉGATION DE NOTRE-DAME

CHAPITRE I

De la fin et esprit de l'Institut

Avant toutes choses, mes très chères Sœurs, aimez Dieu et puis . . .
(*et quae sunt reliqua*).

Votis itaque Monialium Canonissarum Regularium Sancti Augustini Congregationis, quam a Nostra Domina nuncupant, Nos ultro libenterque obsecundare volentes, audito etiam, uti mos est, dilecto filio Nostro Camillo Sanctae Romanae Ecclesiae Diacono Sanctae Mariae Scalaris Cardinali Laurenti, qui iam die XXII mensis Decembris anno MDCCCXXV, qua Sacrae Congregationis pro Religiosorum Sodalium negotiis explendis Praefectus, rem ad Nos retulit, Motu proprio atque ex certa scientia et matura deliberatione Nostris, deque apostolicae Nostrae potestatis plenitudine, praesentium Litterarum tenore perpetuumque in modum Constitutiones Regulasque suprascriptas Monialium Canonissarum Regularium Sancti Augustini plenissime adprobamus eisdemque supremum Apostolicae sanctionis robur adiicimus.

Haec statuimus, decernentes praesentes Litteras firmas, validas atque efficaces semper exstare ac permanere, suosque plenos atque integros effectus sortiri atque obtinere, eidemque Congregationi Canonissarum Regularium Sancti Augustini a Nostra Domina nuncupatae plenissime suffragari : sieque rite iudicandum esse ac definiendum irritumque ex nunc atque inane fieri si secus super his, a quoquam, auctoritate qualibet, scienter sive ignoranter, attentari contigerit. Non obstantibus constitutionibus et ordinationibus Apostolicis ceterisque in contrarium facientibus quibuslibet. Volumus autem ut praesentium Litterarum exemplis, etiam impressis, manu alicuius notarii publici subscriptis et sigillo personae in ecclesiastica dignitate vel officio constitutae munitis, eadem prorsus fides adhibeatur, quae adhiberetur ipsis praesentibus si exhibitae forent vel ostensae.

Datum Romae, apud Sanctum Petrum, sub anulo Piscatoris, die XXV mensis Novembris anno MDCCCXXVI, Pontificatus Nostri quinto.

P. CARD. GASPARRI, *a Secretis Status*.

REVIEWS AND NOTES

THE STRUGGLE FOR CATHOLIC EMANCIPATION (1750-1829). By Denis Gwynn. xxiv.+290 pages. Longmans, 10s. 6d. net.

ONE of the hard things in the writing of history is to maintain the calmly judicial attitude towards the facts, without which history would be better left unwritten. That attitude is particularly hard to maintain when an Irish Catholic comes to speak of the penal laws of the eighteenth century, and of the long struggle for emancipation. Yet Mr. Gwynn has been completely successful in his task; neither the anger which the remembrance of the penal laws provokes, nor the incentive to be rhetorical and even lyrical, which the brave struggle of our people provides, has been allowed to prejudice the claims of his book to be regarded as a product of the genuine historical temper. Without even leaving the facts, the book succeeds in being extremely interesting; at times, it is even exciting. Even a reader who has no liking for the ordinary historical work will enjoy the time he spends in Mr. Gwynn's company; and when he is finished with the book, he will probably have increased his knowledge considerably.

It has been claimed—and the point has been made the ground of an objection to the historical value of the present work—that 'if the penal laws were to some extent inspired by bigotry, they were to a far greater extent inspired by fear,' the fear being, in general, that the Protestantism of England was in danger. All that may be very true. Yet we should not forget that the Protestantism which it was sought to maintain was the Protestantism which was enthroned by the successful treason of those subjects of James II who brought William of Orange to England. Neither should we forget that that treason completed its success only when Limerick agreed to surrender on terms which included a guarantee of freedom of conscience and religious practice to Catholics; and that the penal laws involved the treachery of a violation of a solemn Treaty.

But apart from these considerations, it is further to be noted that while fear might very well explain the provisions of some of the Acts of William and Anne, it seems very lame as a justification for such an act as that by which it was prescribed 'that no person of the popish religion shall publicly teach school or shall instruct youth in learning in any private house within this realm' (8 Anne, Chap. 3); and, indeed, fails altogether when with this statute is remembered another, by which Protestant schools were to be made available in every district for the children of the place.

The same writer maintains that 'when the fear relaxed, the penal laws

were first not enforced, and then gradually repealed.' The record of the state of Ireland contained in Arthur Young's *Tour of Ireland in 1776-1778*, or in *An Account of Ireland in 1773*, by a late Chief Secretary of that Kingdom, do not give much justification to the statement. The facts seem to be that every alleviation of the lot of Irish Catholics had to be torn from the unwilling hands of intolerant rulers; to suggest that relief came as a result of the ending of fear is simply to ignore the historical facts of intolerance which are conveniently indicated in the scruple of George IV that emancipation involved a violation of his Coronation Oath.

In the third place, this writer states that England was not the only persecuting country at the time—this, we suppose, in case the other plea, that there was really no religious persecution at all, be found to fail. But, of course, it is no defence of persecutors to say that they had imitators, or even that they had models. However, one can also recall that, though Louis XIV recalled the Edict of Nantes by which a charter of religious liberty was given to the French Calvinists, 'after Louis' death (1715) the decrees against them were not enforced with much severity,' and that 'in 1787, a measure of almost complete political equality was granted to them by Louis XVI.' Here was an example very near home which England might have followed, had she been anxious to conform her practice to that of a continental neighbour.

We should recommend Mr. Gwynn's book to our readers at whatever date it appeared. But as it comes so opportunely, we earnestly hope that it will be very widely read, in Ireland, particularly, where the centenary of emancipation is to be celebrated with special ceremony.

We think we are right in remarking, *à propos* of a statement of Mr. Gwynn on page 254, that Maynooth never belonged to the diocese of Kildare; we are certainly right in saying that at Dr. Doyle's time it was a part of the diocese of Dublin.

J. F. O'D.

THE CAPUCHINS (2 Vols.). By Father Cuthbert, O.S.F.C. London: Sheed and Ward. 15s.

FATHER CUTHBERT has long ago established his place as a leader in Franciscan studies. His *Life of St. Francis* is familiar to all lovers of the *Poverello*. In the present work he has passed from the tenth to the sixteenth century, and to the history of that wonderful renewal of primitive fervour associated with his own Order, the Capuchins. The story from beginning to end is one of spiritual adventure. It starts with the canonically indefensible act of a friar of Montefalco who led his brethren to seek his ideal of Poverty. Despite such damning credentials the Pope gave the friar, Matteo da Bascio, his liberty. Matteo was soon joined by three companions. The new fraternity's existence was for some years in jeopardy; but, finally, owing to the powerful patronage of Caterina, Duchess of Cumerino, it received, in 1528, canonical

status in a Bull of Pope Clement VII. The opening years for the new community were years of struggle to preserve their freedom intact. In their difficulties with the Observants they were fortunate in having as leader Bernardino d'Asti and, as protector, Vittoria Colonna. On August 25, 1536, Paul III published the Bull *Exponi vobis* in which he confirmed and extended the privileges granted by Clement VII in the Bull *Religionis Zelus*. But even still the battle was not won. The new movement was to be assailed not from without but from within. The apostasy, after a brilliant career as preacher, of Fra Bernardino Ochino da Siena, the Vicar-General, shook the Order to its foundations. Under the wise governance, however, of Francisco da Jesu, Bernardino d'Asti, and Eusebio d'Ancona—filled as they were with the spirit of the first Franciscan days—the Congregation was consolidated and entered on its world-wide mission. Its independence was ultimately secured by the Bull of Pius IV, *Pastoralis officii cura*, April 2, 1560, and in 1562 the Vicar-General was invited to take his place at the Council of Trent amongst the Generals of the Mendicant Orders.

By a Brief of May 6, 1574, Gregory XIII formally abrogated the prohibitory edict of Paul III, and permitted the Capuchins 'to go forth freely to all parts of the earth, and there found houses and provinces.' 'Within eight years from that fateful brief of Gregory XIII the Capuchins,' to quote Father Cuthbert, 'had spread to France, Spain, Savoy, and Switzerland; and four years later to Belgium. A second dispersion beyond the Alps began in 1593, when a body of friars, at the request of the Archduke Ferdinand and his wife, Anna Caterina of the ducal house of Mantua, were sent to the Tyrol: that was the beginning of an invasion which within a quarter of a century was to cover the dominions of the Hapsburgs, Bavaria, and the Rhine Provinces with Capuchin friaries and missions; whilst in the same period Flanders and the Walloon country were to become flourishing provinces. Within the same period, too, a missionary province was to be established for Ireland, England, and Scotland, and a beginning was to be made of those extensive missionary enterprises which within little more than thirty years were to spread over three continents.' Of particular interest to Irish readers are the references to the Irish Capuchins. 'The story,' writes Father Cuthbert, 'of the Irish Capuchins throughout the seventeenth century is a story of hardship and suffering for the Faith they loved; a story of quiet, persistent endurance, and of the daily task. They shared the life of the people whom they served, both for sorrow and for joy, though their sorrows were of this world, and their joys in the Faith which neither political tyranny nor religious persecution could subdue. Theirs was not the opportunity to figure in the larger problems which mould the world at large. Their heart and their service were with the people of their own land, and their glory is the common glory of their people's Faith which the direst oppression could not quench.'

It would be impossible, in a review, even to indicate the vast amount of detailed information which Father Cuthbert has subdued in his orderly

narrative. It is difficult to know which to admire most: the profound historical erudition or the unobtrusive style of the thorough literary craftsman. The work, in the large, is one of the most important contributions to the history of the so-called counter-Reformation that has as yet appeared.

P. MACS.

THE TRIUMPH OF LIFE, OR SCIENCE AND THE SOUL. By William Barry, D.D. London: Longmans, Green & Co., Ltd. 1928. Price 10s. 6d. net.

THE reader of *The Triumph of Life* will find in it all the fascination of Dr. Barry's other writings: that clearness, precision, and symmetry that is associated with the accomplished classical scholar; that acquaintance with great thinkers and their theories which is the possession of the persevering student who understands and tries to solve the deep problems of our existence; that culture of the mind and heart, that appreciation of art and learning which, one might say, is distinctive of Dr. Barry. For more than forty years he has poured out the wealth of a richly-stored mind in newspaper, magazine, and book, and although he has now passed his eightieth year, he gives no indication that his intellect is less active than it was when he contributed his first article to the *Dublin Review* in 1875.

But the reader will be greatly mistaken if he assumes that this volume will furnish light reading for an idle hour. In spite of that charm of style and beauty of execution which are common to all Dr. Barry's writings, the treatment of the subject demands abstruse thinking and close reasoning. It is true that the eighteen chapters which the volume contains bear the title of 'Letters,' but often the only reminder of a 'Letter' is the opening expression, 'My Dear Friend,' addressed to Dr. Alfred Herbert, M.A., to whom the book is dedicated. However, on some occasions, all too rare, unhappily, the letter-form provides an opportunity to the author to introduce a few delightful personal reminiscences. He began the writing of them before the European War, and spent twelve years at his task. He saw that modern civilized society was in peril of ruin from the Black Death of Scepticism. His purpose in writing the Letters was to 'prove that Life and Mind were not secondary, or accidental, or derived from matter and motion, but aboriginal and of necessity everlasting.' 'I feel . . . convinced that it is our duty to lay bare the fallacies of scientific men, who, in the name of knowledge, have become preachers of everlasting death. And I can show good grounds for the hope that is in us' (page 13).

Agnosticism and Scientific Monism are based on false assumptions, and are false in their conclusions. Discussing the relation of life to matter, force, and motion, he demonstrates that life is not a product of mechanical forces, that life does not behave as a form of energy, that life stands outside the law of the conservation of energy. Is vital action consistent with the law of the conservation of energy? Can we reconcile our certainty that Mind and Will act on matter with this axiom

of physical science? However we explain it, our intimate knowledge of ourselves asserts that spirit governs the senses in our own organism; and an interesting solution is suggested by the assertion that 'an agency need not be a force, yet can direct a force.' One fact, however, is clear, and it is that between living and not-living there is a break in continuity: life is neither matter nor energy nor a function of them.

A second break occurs in the organic world itself when we pass from plant to animal life, and a still greater one when we pass from animal to reasoning life in man. Self-consciousness, reason, volition, self-determination, cannot be explained in terms of sentient life. The difference is still further emphasized when we proceed from the surface of personality to consider 'those deep gulfs of spirit, beheld perchance in fleeting glimpses by genius, by revelation from a supernormal sphere, in moments of crisis and ecstasy.' Further, the realization of subliminal powers, which operate independently of, and often antecedently to, experience, convinces us that 'there is a power of mind which neither the senses nor reflection upon them will account for.' This projects the author into the discussion of dreams, multiple personality, hypnotic states, suggestion, faith-healing, clairvoyance, and all those phenomena which he describes as the underworld of the spirit. One naturally expects Dr. Barry to deal with all these subjects in a spirit quite different from the popular pseudo-scientific manner so common in current literature; and one's expectations are fulfilled. 'There is evidence from all ages and a cloud of witnesses, agreeing but not conspiring together, for the phenomena termed telepathic, as occurring both in and out of the hypnotic trance. . . . No judgment *a priori* bars the existence of telepathy, clairvoyance, or faith-healing on the ground that they are contradictions of our reason or excluded by a perfect induction of the facts' (page 141).

Mind, therefore, cannot be explained by matter, and cannot be produced by mechanical causes. That man and beast are on different levels is equally clear: man, in virtue of his reasoning powers and the moral value that attaches to his acts, is essentially different even from the higher mammals. Among men there is a world-wide belief in a future state. The key to this universal belief that the individual persists after death is to be found in those intellectual and moral qualities that are proper to man. This point the author develops at length in two of his concluding 'Letters.' And if man is immortal religion must endure. 'God cannot die while man lives.'

How do these conclusions stand in relation to Science? The problems themselves are outside the scope of scientific inquiry. 'Science' has its limitations: it cannot tell us what Matter is in itself, how Movement in space began, what was the Origin of Life, how Design appeared in Nature, how Sensation and Consciousness originated, how Man is able to think and act freely. The arguments and conclusions of Science cannot encroach on Religion. He ends triumphantly on the note: 'I know my Redeemer liveth, and in His Life our own is sure.' The volume is one further claim to the title conferred by our present Holy Father on Monsignor Barry—*Fidei Defensor*.

HOW TO SERVE MASS. By Rev. J. B. O'Connell. Turnhout, Belgium : Brepol's Catholic Press. Price 9d.

It is obvious how helpful to the celebrant and edifying to the congregation is the exact and graceful observance of the rubrics by altar-servers. It is equally obvious that Mass-serving often falls short of what it should be. Many priests are keenly alive to these defects, but as soon as they determine to remedy them they are faced with the absence of a suitable book. They have no wish to consult the larger works on ceremonial, even when they have them to hand. The result is that they leave matters as they are, or depend on a hazy memory of what they themselves did when serving Mass, supplemented by a few additions of what they have found by personal experience to be useful. Old mistakes become traditional, and after a time custom renders them at least tolerable.

This neat booklet, *How to Serve Mass*, meets all needs. A book of ceremonial, to be of real value, must take into account all the essential actions, small though they seem. There are of course different ways of doing many of the ceremonies that occur in the serving of Mass : of the several correct ways one, for the sake of uniformity, must be selected. Teacher and pupil look for definite and detailed instructions. This, to our mind, is one of the merits of Father O'Connell's book : he gives in great detail one correct way of serving Mass, 'the one he believes to be best.' It is written in simple language, and 'any boy of average intelligence can understand its contents.' A list of the subjects treated will show that it is comprehensive, as well as detailed : The Office and Duties of Altar-Servers ; General Rules for Altar-Servers ; Preliminary Observations on Mass-serving ; Serving of Low Mass by one Server ; Serving of Low Mass by two Servers ; Serving of Low Mass for the Dead ; Serving of Low Mass *Coram Sanctissimo* ; Serving of Low Mass in Presence of 'Greater Prelates' ; Serving of Low Mass said by a Cardinal or Bishop ; Holy Communion outside Mass.

It is well printed on good paper, sewn in stout paper cover, and, extending to 96 pages, is marvellous value for the price. It can also be obtained, bound in cloth, for 1s. 3d.

D. M.

THE JESUITS IN MODERN TIMES. By John La Farge, S.J. Pp. 146. New York : The American Press, 461 8th Avenue.

WE had thought when taking up Father La Farge's work to find a trenchant reply to *The Jesuit Enigma*, that unfilial and Renanesque attack on his own family by a wayward son. We were agreeably disappointed. Not a polemic, not an apologia is the book. Rather it aims at stating the Jesuit ideal in terms of modern appeal, at clothing in twentieth-century American garb, the old-seeming Rule of Life of St. Ignatius for a people that appear to rate so highly in their judgment of values 'the goodly outside,' the powder and tawdry tinsel of dress,

as the intrinsic worth they cover. We are old-fashioned enough to think with Canon Sheehan in *Luke Delmege* that the Church should not accept every new tune of the market-place and forget the old—for that reason we would like to have got more of St. Ignatius and less of Father La Farge in the book; for that reason, too, we would like to have got more facts and less perfervid generalities about the Jesuit system.

And yet, perhaps, we are too hard. The book aims at reaching our emotions rather than our reason, and it certainly succeeds. For greatest tribute of all both to the book and to the Jesuit Ideal, one feels stirred up to greater things, more attuned to the vital note of Christianity—communion with and work for the living Christ—after reading it through.

Therein lies its value—not so much that it will induce you to be a Jesuit or to admire the Jesuits, but that it bears for you a personal message to be at least a truer Christ-man. To the young, whose hearts are yet generous, who are ready ‘to give and not to count the cost’ for a great cause, it will make a special appeal, and no more useful or Christian present could be made them for Christmastide.

Lest we ourselves be accused of vague generalities let us append a brief synopsis of the headings under which Father La Farge groups his inspiring thoughts. Beginning very logically with Vocation, he follows with two excellent chapters on the Three Vows. That on Obedience, the hall-mark of the Jesuit, is the more interesting, because of the stress it lays on ‘the paternal and traditional way in which it is exercised, rather than in any legalistic and formal manner’; the Jesuits are a Family—not an Army. Next follow two chapters on the work of the Jesuit. He is the Flying Column of the Church, not directed by his Rule to any phase of Church activity in particular, but at hand to be thrust forward against every new danger; to be a pioneer on the Mission fields; to watch after ecclesiastical interests in political circles; above all work against, and combat, heresy and atheism on their own ground and with their own weapons. Hence it is that science and literary clap-trap—we use the term advisedly—and the dictum of the expert are so much in evidence in their work to-day. It is the Jesuit secret. The Order is elastic, and were the army of attack to change tactics to-morrow, the Jesuit front would be reorganized without inward violence to meet it. Then comes a chapter—*Laborare est orare*—welcome, because it gives an etching of a typical day’s programme: first of the Lay Brother and then of the Father. Finally, Father La Farge puts the question: ‘Why such opposition to the Order?’ And he answers: ‘Because of the aggressive character of the Jesuit Apostolate, as seeking and maintaining the outposts.’ Enthusiasm and sincerity make up for any lack of thoroughness in the book, and give it an emotional value that no amount of polemical or argumentation could produce. We wish it all success.

HANDBOOK OF HERESIES. By M. L. Cozens. London: Sheed and Ward. Pp. 111. Price 3s. 6d.

If you look through a pair of field-glasses from the reverse side you will notice that, though shrunken almost to pin-head size, objects stand forth in form and figure bold and clean-cut. To us who have examined heresies through the scholar's lens—some of them, indeed, through a painstaking German scholar's!—that is the impression conveyed by M. Cozen's book. In a little over one hundred pages the author examines all the heresies from the Judaizers down to Liberalism and Modernism, placing each in its due setting, and in a few lucid, able, and tense paragraphs exposing the kernal of the error. And yet it is not a series of extracts or lifeless abridgments, but the essence of the movement in a vigorous sketch that reads like a complete exposition. What better can we compare it to than—and what better recommendation can it have for the modern mind?—to the 'very latest quick-lunch tablet in which the concentrated essence of a square meal can be swallowed in a few tablets.'

The book is written for a twofold purpose; to give people a better knowledge of the faith that is in them, because 'an excellent way of getting a clear-cut outline of the truth about a doctrine is to understand what heretical views have been directed against it, and wherein the error lay,' and secondly, to give 'the satirical satisfaction of placing "modern" religious views under their true name and in their true century.' It certainly succeeds, and richly merits a place in the library of every Catholic who wishes to be *au courant* in an age that places history and biography so high up in its serious studies. Our only regret is that there is no mention of the Greek Schismatics in the book—logically, with the title it was not introduced we suppose; yet it would have rounded off the picture, and given useful information. And after all is it not only convention that makes the Orthodox Church be labelled schismatic? Are they not really heretical?

C. L.

THE ELIZABETHAN PERSECUTION. By A. Hilliard Atteridge. Pp. 72. Harding and More. 2s. 6d. net.

MOST of those who were executed under Elizabeth were executed on a charge of treason. An English Catholic might, therefore, be puzzled to find so many of these victims of Elizabeth commonly regarded as martyrs, and given the title of *beati* by Leo XIII. The present essay explains the apparent inconsistency: the 'treason' of which they were guilty was 'a technical, law-made form of treason, unknown to the old law of England'; and 'though Catholics were denounced as disloyal and traitorous defiers of the authority of the Crown . . . this was essentially a persecution for religion and matters of conscience.'

J. F. O'D.

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SOME MORAL QUESTIONS CONCERNING SPIRITISM

BY REV. M. J. BROWNE, D.D., D.C.L.

SPIRITISM presents two problems: the first is to discover the origin of the physical and psychical phenomena which have occurred at seances; the second is to determine whether participation in seances is in conformity with the moral order. Since the year 1848, when the strange experiences of the Fox family at Hydesville, U.S.A. were interpreted as interventions of discarnate spirits, widespread public attention has been attracted to the cult of Spiritism; investigations have been carried on in Europe and America; innumerable books and treatises have been written to support or to discredit the claim that communication can be established with the spirits of the dead. It is not the object of the present paper to enter into the merits of this problem or to discuss the various theories and explanations that have been put forward. It is concerned solely with the solution of the second problem, the morality of Spiritism. Yet, it may be urged, are not the two problems inextricably connected? Will not the view that one takes of the morality of Spiritism depend on the opinion one has formed as to its origin? Our reply is that this is precisely the question that is to be investigated. We shall see whether the judgments formed by moralists on the licity of Spiritism are based immediately on their judgments as to its origin, so that the validity of one stands or falls with the validity of the other. And if that be found to be the fact, it may be asked whether it is necessarily and unavoidably so. For then it would follow that there could be no certainty about the moral issue, until certainty had been reached on the speculative and scientific question. If the origin of

spiritistic phenomena is still a matter of opinion, it should follow that the morality of Spiritism should be a matter of opinion; one who holds a particular opinion of the agencies at work has no right to impose his moral conclusions on those who hold a different view of the agencies. A case in point is hypnotism. It was for long doubted whether it could be regarded as a natural or preternatural process, and there was consequent divergence of view among moral theologians as to its liceity.¹ Nowadays hypnotism is generally regarded as of natural origin, and its use is permitted for a just cause, with certain precautions. It may be urged that a similar development of moral doctrine is possible in the case of Spiritism. That, too, is a consideration which the moral theologian must take account of.

Participation in Spiritism admits of three degrees of intensity: firstly, acceptance of it as a distinct religious creed; secondly, attendance at seances for the express purpose of communicating with the dead; thirdly, attendance at a seance as an onlooker, merely through curiosity. We shall discuss the moral questions raised by each of these attitudes, in order.

I

The information contained in seance utterances concerning the nature of the soul, the next life, the existence of God, was first formulated as a religious creed by Allan Kardec,² in a work entitled *Le Livre des Esprits*, which was published at Paris in 1853. Kardec's exposition has remained the standard and authoritative statement of Spiritistic belief; the later utterances of renowned spirit-guides such as Stainton Moses' control 'Imperator,' Sir A. C. Doyle's 'Pheneas,' Mr. Bradley's '*Johannes*,' Judge

¹ Cf. Scavini, *Theologia Moralis Universa* (Paris, 1853), tract v., disp. iii., chap. i., art. 3. Ballerini-Palmieri, 15 ed., 1907, still had doubts regarding suggestion. 'Dubitatio tamen, eaque non levis, restat circa phenomenon quod dicitur suggestio, an naturales tantum causae illud valeant efficere' (vol. i., § 275).

² A pseudonym for Hippolyte Rivail.

Edmonds' 'Francis Bacon' have confirmed the chief tenets.¹ This teaching has been accepted by a number of people as a system of religious belief. Antonelli² computes the number for the whole world as twenty millions. Sir A. C. Doyle recently declared³ that in Great Britain alone there are over 550 spiritist churches with a total membership of 200,000; and Father Herbert Thurston, S.J.,⁴ admits that while in America Spiritism is losing ground, in England its tide is steadily rising.

The spiritist creed claims to be a fuller and more perfect revelation of divine truth, which will supplant Christianity, as Christianity supplanted Judaism. It runs directly counter to a number of Catholic dogmas. It denies the Divine Trinity, and represents God as an ineffably remote Being, uninterested in human affairs. It interprets Christ as a great Spirit, and rejects the Incarnation, Redemption, and divine institution of the Church. It holds a materialistic conception of the soul, maintains transmigration, and denies emphatically the eternity of hell.⁵

It is obvious that acceptance of this creed by a Catholic involves the sin of apostasy, the total rejection of Christian revelation.⁶ In relation to Christianity, Spiritism occupies the same position as Mohammedanism.

II

Not all, however, who take part in seances adhere formally to the Spiritist creed. The majority, in fact, would disavow all intention of abandoning the Christian religion, and protest that they desire only to renew contact with their dead. Attendance at a seance of its nature signifies

¹ Yet the Rev. C. Drayton Thomas, in his recent work, *Life Beyond Death—with Evidence*, propounds a spirit-teaching which he has received, and it is sober Christian orthodoxy in contrast with Kardec's. Can it be that the convictions of the recipient determine the character of the message?

² *Medicina Pastoralis*, 4th ed., 1920, vol. ii. § 1.

³ *Vide* daily Press, October 1, 1928.

⁴ *Modern Spiritualism*, London, 1928.

⁵ As for its moral teaching, the doctrine of Free Love was maintained by some American Spiritists, and though denied by others, brought the sect into discredit. Cf. Thurston, *Modern Spiritualism*, p. 37, seqq.

⁶ Cf. Canon 1325.

nothing more than belief in the possibility of communication. Spiritists maintain that the practice of communication is in no sense unlawful, and is not contrary to Christian dogma. It is in fact a profession of the immortality of the soul. It is in accordance with natural instincts of affection and filial piety. If we are told—they say—to be solicitous for the welfare of our departed brethren, to keep their memory green, and to pray for them, how can it be wrong to converse with them, if opportunity offer?

All Catholic moralists, however, hold that it is wrong, and firstly, because it is explicitly forbidden in the Bible, in Deuteronomy xviii. 10-12 : ‘Neither let there be any wizard, nor charmer, nor anyone that consulteth pythonic spirits, or fortune-tellers; or that seeketh the truth from the dead. For the Lord abhorreth all these things.’ From this text alone it is evident that there is nothing entirely new in the Spiritist cult. Necromancy, the evocation of the spirits of the dead for the purpose of obtaining knowledge of things occult, is as old as history; there is abundant reference to it in the literature and chronicles of the Romans, Greeks, Jews, and Egyptians.¹ The practice seems to have been particularly widespread in the first centuries of the Christian era. Yet, the attitude of the Christian Fathers and writers was uncompromisingly hostile. Necromancy, like other forms of magic, was held to be gravely sinful, and was prohibited by the laws of the early Church. When in more recent days it was revived in connexion with the pseudo-scientific cult of ‘Animal Magnetism,’ it was condemned by the Holy Office (30th July, 1856) as ‘deceptio omnino illicita et haereticalis et scandalum contra honestatem morum.’ Even when sometime later the case for

¹ A detailed description of the necromantic rites is given by Lucan, *Phar.* vi. 728, seqq.; Horace, *Sat.* i. 8. That it was seriously taken is proved from the fact that it was forbidden by law under severe penalties, and that Cicero made it one of the grounds of accusation in his speech against Vatinius. Reference to necromantic practices occur frequently in the Old Testament: 1 Kings xxviii. 7; 4 Kings xxi. 6; 2 Par. xxxiii. 6; Isaias viii. 19, xix. 3. A famous instance is the evocation of the spirit of Samuel by the witch of Endor which is described fully in 1 Kings xxviii. 7. For necromancy among the Chaldeans cf. Lenormant, *La divination chez les Chaldéens.*

evocation of spirits was put in the most favourable terms, the Holy Office repeated the condemnation. The decree is an important one, and requires repetition in full.

Titius, excluding any arrangement with an evil spirit, is accustomed to evoke the souls of the dead. He proceeds as follows: 'alone, and without any ceremonies, he prays to the leader of the celestial hosts to grant him the power of speaking with the spirit of some specified dead person. He waits a little while, and then feels his hand, already composed for writing, being moved; whereby he is made aware of the presence of the spirit. He declares what he desires to know, and his hand writes replies to the questions he has put. All the replies agree with the faith and teaching of the Church about the life to come. They are concerned as a rule with the state in which the soul of a particular dead person is placed, with his need of help through prayer, with complaints of the neglect of relatives. As the case is stated, the question is: Is Titius' procedure lawful? Reply: As the case is stated, it is not lawful.

The decision was approved by Leo XIII on April 1, 1898.¹ Catholics at any rate could no longer have any doubt that the evocation of spirits is morally wrong. It should be noted, however, that no reasons were given for the decision. On this question, and on the further point whether the prohibition is of the natural or positive law, the field is open for discussion.

One reason that has been put forward for the unlawfulness of Spiritism is that it produces injurious physical and moral effects in its adherents. Raupert in his book on Spiritism gives a very sombre picture on the degeneration which he says results from frequent participation in seances. Health becomes impaired, the mind suffers from fears and hallucinations, and may, eventually, lose its balance; persons hitherto of upright character grow careless and lax, fall into vicious habits, and even lose all sense of moral restraint. These evil effects are in fact regarded by many as proof positive that Spiritism is of diabolic origin.

That evil effects do sometimes result is an undoubted fact. The late Lord Dunraven, who had extensive experience of the subject with the famous medium, Home, declared 'Spiritist investigation is for some reason or other

¹ *Collectanea de Prop. Fide*, no. 1994.

physically exhausting and in some devotees tends to undermine their self-dependence and weaken their will-power.'¹ But as to the extent of the evil and its origin there is room for discussion. It must be admitted that many have attended seances for years without any injury to health or character. Some of the foremost exponents of Spiritism have lived to a ripe old age. Evil effects have been observed not so much in the case of observers as in that of professional mediums, and particularly of those who ply their trade with a reckless disregard for their physical and psychical strength. In regard to the origin of the evil effects, it has been found that they are exactly similar to the results which follow from excessive indulgence in intense or abnormal mental activity. Those who allow themselves to be hypnotized very frequently develop a craving for the hypnotic state as for a kind of psychical drug, and display that lack of will-power, and that neurotic disposition, common to drug-takers. In bad cases of scrupulosity and neurasthenia the symptoms and effects are remarkably similar to those attributed to Spiritism. It is maintained, and it seems very probable, that these latter are of purely natural origin: they are the result of a disintegration of personality caused by strain and excess. It can easily be understood that a medium who undergoes the great physical and mental strain of the trance state becomes particularly liable to the nervous disorders now so well known and feared as the psycho-neuroses. It is certain at any rate that one cannot with certainty proclaim the effects to be of diabolic origin. Hence, they are to be regarded as natural. Further, there is risk of serious injury only in the case of those who are of a delicate or neurotic constitution, and of those who, however strong, act very frequently as medium.

Outside these cases when no evil effects are to be feared, or when there is a sufficient cause for taking the risk of

¹ *Past-times and Past Times*, 1922, vol. i. p. 11. Cf. also Viollet, *Le spiritisme dans ses rapports avec la folie*, Paris, 1908. P. Charles, S.J., 'A propos du Spiritisme,' *Nouvelle Revue Théologique*, 1921.

them, would communication with spirits be lawful, just as in similar circumstances hypnotism is lawful? The answer must be yes; if the evil effects referred to are the *only* reason for condemning Spiritism, and if apart from these effects, it cannot be proved to be intrinsically evil.

Catholic moral theologians maintain that Spiritism¹ is intrinsically wrong, and cannot be permitted for any cause or pretext whatever. Their reason is that attempted communication with the dead involves intercourse with the devil, which is intrinsically wrong, for it is treason against God. Spiritism is contrary to the virtue of religion. It is a form of superstition, the vice of giving religious cult to an unworthy object. The prohibition, therefore, of necromancy in the Old Testament was not an enactment of the ceremonial order such as the prohibition of engraving and of intercourse with foreigners: it was a declaration of the natural law. So, too, the decrees of the Holy Office, already quoted, are not mere positive enactments binding Catholics only: they are elucidations of the natural law which binds all men.

The crucial contention of this argument, that Spiritism involves intercourse with evil spirits, is most indignantly repudiated by spiritists. They point out that the sole and essential object of their system is to communicate with the spirits of *men who have lived on this earth*. That the interference of other spirits is not merely not desired, but positively objected to as a disturbing factor; and that they take every means to test the identity of the communicating spirits. Finally, they claim to have obtained in a large number of cases convincing evidence that the spirit was really that of a well-known friend.

The reasoning by which theologians establish their contention is briefly as follows: the phenomena of Spiritism cannot be explained by natural causes. They must, therefore, be attributed to a supernatural agency. This cannot be God, the good angels, or the blessed in heaven, for

¹ In dealing with this second case we shall use the word Spiritism to signify the act of attempting communication with the dead.

spiritistic communications contain denials of Catholic dogma, and other falsehoods, which could not proceed from beings confirmed in goodness. The agency must be evil, and is, therefore, either the evil angels or the damned souls. But it cannot be the damned, for they have not of themselves or from divine providence the power of communicating freely with the living. The agency is, therefore, the devil and his angels.¹

The theologians are moved by the protests and disavowals of spiritists to concede only this, that while they may not be guilty of explicit invocation of the devil, they certainly are guilty of implicit invocation. For when people make use of a practice which they know cannot naturally and of itself cause the effect desired, they evidently expect some external agency to supply the deficiency, and they implicitly at least invoke the assistance of that agency. Protestations cannot change the nature of the objective act.

The argument against Spiritism may be condensed into three propositions: Firstly, that the phenomena of seances are genuine; secondly, that they cannot be explained by natural causes; thirdly, that the only preternatural agency to which they can be attributed is the devil. We shall examine each of these propositions solely in order to ascertain whether they are unanimously or generally held by Catholic writers, or based on any authoritative teaching of the Church.

In regard to the first point, we find that there are several Catholic writers who discredit very largely the reality of spiritistic phenomena. Father C. M. De Heredia, S.J., in a book entitled *Spiritism and Common Sense* (New York, 1922) has shown that many of the prodigies of seances, including even levitation, can be produced by the art of the conjurer. The Rev. J. Liljenkrantz, M.A., D.D., in a

¹The view that Spiritism involves diabolic agency finds support outside Catholic writers. Cf. F. H. Bradley, *Essays on Truth and Reality*, p. 440, Oxford, 1914. (Not to be confused with H. D. Bradley, a prominent spiritist, the author of *The Wisdom of the Gods*, etc.)

work submitted to, and approved by, the Catholic University of Washington, *Spiritism and Religion* (New York, 1920), maintains the thesis that all spiritistic phenomena can be attributed to deliberate fraud or to natural psychological causes. Roure, *Le Merveilleux Spirite*, and Zacchi, O.P., *Lo Spiritismo e la sopravvivenza dell'anima*, also emphasize the great part which trickery and hallucination play in the production of spiritistic marvels. No one who makes even a brief study of the subject can fail to be impressed by the enormous possibilities of skilful manipulation on the one hand, and on the other, the reluctance of mediums to submit to test-conditions, and the innumerable cases in which they have been found guilty of deliberate trickery.¹ Of recent years the tendency of unprejudiced observers is to allow more and more for the operation of illusion and deceit. Some investigators, e.g., Podmore² and Liljenkrautz, go as far as to discredit all spiritistic phenomena on the ground that strictly scientific methods of observation and control were not used, and, consequently, all possibilities of deception not eliminated. The vast majority of Catholic writers, however, while admitting that fraud occurs in very many cases, maintain that there have been some phenomena which were certainly genuine. In this matter one must, they say, avoid the extreme of incredulity as well as its opposite. When a number of educated and critical observers testify to a fact, it is unreasonable and gratuitous to deny its reality. Father Herbert Thurston, S.J.,³ contends that it is most illogical in Christians to reject all spiritistic phenomena as spurious. For if they 'throw overboard the reiterated statements of modern witnesses of credit who relate what their eyes have seen, and their ears heard, under circumstances which, apparently, shut out the possibility of deception' they undermine the credibility of the

¹ Vermeersch (vol. i. p. 191) relates a recent instance of exposure. The celebrated medium Guzik was examined for several weeks by scientists of the Sorbonne and Collège de France. Their verdict was that he produced the phenomena by manipulations of elbow and legs.

² *Modern Spiritualism*.

³ *Dublin Review*, June, 1923: 'Is Spiritism all Imposture?'

Gospel miracles! When Father Thurston proceeds to give examples of evidence 'under circumstances which, apparently, shut out the possibility of deception,' we find he relies on certain records of D. D. Home's seances during the early years of the movement—1855 to 1873. Home was the greatest of mediums, and in a recent work¹ Father Thurston says he was one of the few who was never convicted of fraudulent phenomena. Cardinal Mercier, on the other hand, mentions in his *La Psychologie*² that Home, shortly before his death, confessed to a friend, Dr. Philip Davis, that he had disgracefully deceived the public as to the nature of his actions. 'Ce n'était qu'un habile charlatan,' adds the Cardinal.

Neither are Catholic writers unanimous in regard to the second point—whether the facts can be explained by natural causes. The majority of those who deal professedly with the subject—e.g., Vermeersch, Lehmkuhl, Genicot, Salsmans, Noldin, Marc, Ballerini-Palmieri, Ferreres, Slater, Antonelli, Surbled—hold that the facts cannot be so explained. There are, however, some of the opposite view. In addition to those already quoted, who positively maintain that all the alleged events can be attributed to fraud or auto-suggestion, there are some who express doubt and reserve judgment. Prümmer,³ Aertnys-Damen,⁴ among moral theologians; Beraza, S.J.,⁵ of dogmatic theologians, and Cardinal Mercier⁶ in psychology, are of this view.⁷

¹ *Modern Spiritualism*, London, 1928.

² Vol. ii. § 239, note.

³ *Manuale Theologiae Moralis*, Friburg, 1923, vol. ii. § 525.

⁴ *Theologia Moralis*, Rome, 1919, vol. i. § 429.

⁵ *De Deo Creante*, 1921, p. 431.

⁶ *Lo Psychologie*, Louvain, 1903, vol. ii. § 239.

⁷ A striking parallel to the diversity of view of modern Catholic writers in regard to Spiritistic seances will be found in the views of the early Fathers on the appearance of Samuel to Saul in the witch's cave at Endor (1 Kings xxviii). St. Jerome (Migne, tome 24, c. 106) held that the apparition was not genuine. Saul was tricked and deluded by the witch. Tertullian, St. Gregory of Nyssa, St. Basil held that it was the devil who appeared in the guise of Samuel. Origen, Theodoret, Ambrose, Augustine maintained that Samuel himself really appeared by permission of God. This is confirmed in Ecclesiasticus xvi. 23.

There has not been any authoritative decision of the Catholic Magisterium on this point, as far as we know. The Second Plenary Council of Baltimore declared in 1866, 'Vix dubitandum videtur quaedam ex iis (spiritistic phenomena) a satanico interventu esse repetenda, cum vix alio modo explicari possint.' The decision of a particular council is not, of course, of universal, not to speak of infallible authority. In a decree of the Holy Office of 30th July, 1856, concerning the claims of those who practised Animal Magnetism to be able to evoke the spirits of the dead, to receive replies, to discover unknown and distant things, it is said: 'In hisce omnibus, quacumque demum arte vel illusionem utantur, cum ordinarentur media physica ad effectus non naturales reperitur deceptio omnino illicita et haereticalis?' This seems to imply that evocation of spirits is not possible by physical means. But it must be noted that the decree does not deal with Spiritism, but with its predecessor, Animal Magnetism; secondly, it does not pronounce judgment on the merits or origin of the phenomena of this latter—as the phrase 'quacumque demum arte utantur vel illusionem' clearly shows; thirdly, what is contained in a clause of this kind cannot be taken as an authoritative *ex professo* decision of that point. Speaking of the decrees issued on this subject Vermeersch¹ says: 'Prudens usus requiritur responsorum Sanctae Sedis. Haec solet ad exposita facta, et ad diem quo eduntur, sua decreta prudenter aptare. Circumspecte igitur, in re quae ex perpetuis investigationibus faciem facile mutat adhibendae sunt normae quae ante quinquaginta annos sunt vulgatae.' In none of the decrees which the Holy See has since issued on Spiritism has there been any decision of, or even reference to, the question of the preternatural origin of the phenomena.

If then there is no unanimity or certain teaching on the questions whether the phenomena of Spiritism are genuine, and whether they are capable of a natural explanation, does it follow that the argument for the intrinsic malice of

¹ *De virtutibus* (Bruges, 1912), § 174, 2°.

Spiritism collapses? This much must be admitted, that as long as these questions are unsettled one cannot affirm that the practices are objectively or materially superstitious; they may be merely illusions, frauds, or the products of auto-suggestion. It is a recognized principle of Moral Theology that when it is doubtful whether a practice is of natural or preternatural origin, it should be presumed natural.¹ It follows, therefore, that observers and investigators may regard spiritistic practices as events of the natural order. We shall return to this point again.

But against those who believe that the phenomena are due to preternatural agency, the argument is perfectly sound. Even if the question of objective or material morality be open, the *subjective* morality of those who adopt the practice must be discussed, and the discussion must be based on *their* convictions and beliefs. For the formal morality of an action depends on what the agent thinks he is doing. This is a principle which applies to all spheres of morality. Thus, we may be very sceptical about the preternatural efficacy of a magical charm or cure; but if we wish to determine the formal morality of the use of that charm by a person who believes in its preternatural efficacy, we must take for granted, and as our starting point, the view that the charm has extraordinary power, and then see the consequences and implications of that attitude. So in order to determine the formal morality of communication with spirits we may go on the assumptions that the phenomena are genuine, and that they proceed from discarnate intelligences. The question then arises whether it is a necessary implication that they proceed from the devil.

The usual proof of this is by a process of exclusion. The spirit messages are not from God, the good angels or the blessed in heaven; neither are they from the damned. There is none left but the devil. If any of these propositions be not proved, the case breaks down.

¹ Cf. St. Alphonsus, *Theologia Mor.*, iii. 20.

It is argued that the messages cannot be from God, or any good spirit in union with God, because they contain denials of Catholic dogma. Spiritists may retort that denial of Catholic dogma is not sufficient proof of wickedness for a non-Catholic, and as there is question of showing that Spiritism is contrary to the natural law, the proof should abstract from revealed dogma. While making this protest, spiritists do not seriously claim that the messages come from God. If they did, the puerility, inconsistency, and direct falsehood they sometimes display would refute the claim without any recourse to revelation. But they do seriously claim that the messages are from the spirits of the dead.

It is by no means an easy task to find what can be known either from revelation or reason about communication with the dead. It is a Catholic dogma that we can invoke the saints. This implies that they know our prayers; but as to the manner and source of their knowledge nothing has been defined, and theologians are not agreed. Bellarmine¹ gives four current views, one of which—St. Jerome's²—is that the saints are endowed with wonderful celerity, are in a sense ubiquitous, and can directly hear the prayers of suppliants.

Although not defined, it is a pious opinion that the souls in purgatory also can be invoked, and theologians find no insuperable difficulty in explaining how they can know our prayers.³

Furthermore, Catholics believe, though it is not defined, that the souls of the dead, whether in purgatory, hell, or heaven, can appear to the living and communicate with them. To quote again from Bellarmine⁴:—

Haeretici hujus temporis omnes apparitiones animarum rident tamquam demonum illusiones. Verissima tamen est Augustini sententia (lib. de cura pro mortuis cap. 15 et 16) nimis impudentiae esse negare animas interdum ad nos redire, Deo jubente vel permittente.

¹ *De Sanctorum Beatitudine*, lib. i. cap. 20.

² *Liber adv. Vigilantium*, 6°.

³ Cf. Dignant, *De virtute Religionis*, § 32.

⁴ *De Purgatorio*, lib. ii. cap. 8.

In modern times the view ¹ has been put forward that :—

There is nothing intrinsically repugnant in the idea that the souls of those detained in limbo should try, God permitting, to communicate with us here on earth, even though their attempts were hampered with much the same sort of difficulty which attends our human experiments in thought-transference.

The important clause in this statement is ‘God permitting.’ The question is what kind of permission is required. Is it the same as that given to the demons who by their natural powers can communicate with men? There is nothing defined. We have merely the conclusions of theologians, which are entirely based on reasoning. St. Thomas and Suarez hold that the disembodied soul cannot naturally or of itself know what takes place on earth (they disagree with St. Jerome), and cannot act on material things, a power necessary for communication with men.² Aegidius,³ on the other hand, holds that they can make use of material things.

The position, therefore, seems to be that we can advance no Catholic dogma but a general teaching of theologians, that the dead cannot communicate with the living without some divine permission. It is admitted that the permission is sometimes given, but not that it is so frequent as to be normal. The basis of this latter denial is not any text of Scripture, or authoritative decision, but the *a priori* argument that it would be contrary to the divine goodness to allow the human race to be the prey of so many evil sprites. Yet, when this same argument is brought forward as an objection to the view that God allows *demons* to communicate with men, it is rejected by the majority of theologians. If God allows demons to deceive foolish men, what difficulty in supposing that He allows damned souls to do so?

It would seem, therefore, that the contention that the

¹ Father Herbert Thurston, *The Month*, February, 1917: ‘Communicating with the Dead.’

² *Summa Theologica*, i. q. 89, art. 8; q. 110, art. 3; Suarez, *De Anima*, lib. vi. c. 2 et 7.

³ *Quodlib.* iv. q. 7.

demons are the only discarnate intelligences with which spiritists can converse is not so invulnerable as to impose itself on every Catholic, not to speak of non-Catholics. Father Thurston is of this opinion,¹ and adds: 'Why should the spirit-denizens of the whole outside world be summed up as either angels, devils or souls of the departed in heaven, purgatory or hell?' Spiritists may also insist that in discussing a question of the natural law one should be guided by what natural reason unfolds. And, according to reason, they contend there is nothing intrinsically impossible in communicating with the dead, if mind can communicate directly with mind. But it has been proved by experiment that telepathic communication of mind with mind is possible—to a small extent and within narrow limits, it is true; but they claim that they are groping towards the truth and, perhaps, are on the verge of discovery. They protest that investigation should not be hindered nor the possibilities of discovery scouted. Two hundred years ago to speak across a hundred miles of land or sea by means of a wire would have been denounced as magic. What would have been thought of speaking across thousands of miles, without wires or any visible medium; or, latest marvel of all, of seeing across thousands of miles? If, then, one regards communication with spirits as within the natural, though latent, powers of the mind, one cannot be accused of even implicit invocation of the devil.

It therefore remains to see whether there is any proof of the intrinsic immorality of Spiritism which is independent of intercourse with demons. If we suppose that men could directly communicate with the dead, would it be contrary to the natural law to do so?

Catholics, it is true, communicate with the dead when

¹ 'I cannot too strongly emphasize either my conviction that such practices are extremely dangerous, and therefore very wisely forbidden, or my deep sense of the difficulty, it may be the insuperable difficulty, of unravelling the tangle.' *The Month*, February, 1917. Italics mine. One would infer that he regards the injurious effects that follow from Spiritism to be the strongest, if not the only ground of prohibition.

they invoke the saints in heaven or the souls in purgatory. The point of cardinal importance is that Catholics do not invoke the saints because of their intrinsic dignity or power, but because they are friends and intercessors with God. They think of the saints as high in honour, indeed; but as entirely dependant on, and subordinate to, God. They believe and profess that it is only with God's permission that the saints can know our prayers, and only through God's favour that they can help us: so that to ask of a saint is, both in reality and in the Christian consciousness, to ask of God. Now, if a bereaved parent ardently longed to converse with the spirit of his dead child, we can conceive him asking God to permit his child to communicate with him. The request may be a foolhardy one, and may even be a sin of *tentatio Dei*; but it is not a sin of superstition, it involves no denial or diminution of God's supremacy, and of the dependance of all creatures, carnate and discarnate, on Him.

When Spiritists attempt communication, there may be cases where those who are otherwise pious and good Christians begin with a prayer to God, and explicitly ask of God to permit the spirits to communicate. They commit a sin, not of superstition, but of *tentatio Dei*, which consists in asking an extraordinary favour from God without cause. There is an interesting example in the parable of Lazarus and Dives (Luke xvi. 30): 'If one went to them from the dead they will do penance. And he said to him: If they hear not Moses and the prophets, neither will they believe, if one rise again from the dead.' God has provided in reason and revelation sufficient evidence of the truths that are necessary for man's salvation.

But if there are any Spiritists who direct their petitions to God, they are very few. The vast majority do not explicitly ask of God; nor implicitly, by addressing the spirits as friends and dependants of God. They invoke the spirits, but not as mere intercessors with God, and not with a profession of their utter subordination to and dependence on God. They do, in fact, profess the contrary. It is not merely that they regard the spirits of the dead as endowed

with great powers by which they can hear whatever petitions are addressed to them from the whole world, and can command material forces at will (for St. Jerome held the one and Aegidius the other). It is that they treat them as independent beings, and pay deference to them as such. To treat with denizens of the other world not through God, but independently of Him, and without acknowledgment of His supremacy, is to diminish the honour due to God. It is the sin of superstition which Protestants pretend to see in the Catholic invocation of saints. The virtue of religion requires that all our prayers for light and help should be directed ultimately and effectively to God.¹ Those 'who seek the truth from the dead' act as if God had not provided man with sufficient means to find the truth, or as if the dead had a saving knowledge which God had not, or would not give—an attitude which is contrary to the virtue of religion. The evocation of spirits is therefore a sin of superstition. It gives to creatures a cult which is due to God alone. The spiritist conception of the other world is of one peopled by a multitude of powerful independent beings, one in which God sinks into a shadowy remoteness. Spiritism is directly related with lack of belief in a personal God. God is for many merely the vague impersonal being of Pantheism; but they feel the need of a real and active supernatural power, and they supply it with this crude and primitive spiritology. It is because evocation of spirits is based on, and in turn signifies, this attitude, that it is contrary to the natural law.²

III

Finally, we come to the third case—the lawfulness of passive attendance at a seance, as an onlooker merely. Very many people have been attracted to seances by the

¹ Those who are interested in the theological implications of this argument should investigate the question why it is unlawful to ask of a demon something that is within his ordinary power, so that the request does not imply a divine attribute to him. Cf. Suarez, *de Relig.*, tract. iii. lib. 2, cap. 8.

² Whether in the decree of the Holy Office of April, 1898, the prayer offered by Titius to the *dux celestis militiae* be taken as implicitly offered to God or not (as is more probable), it can be seen why his procedure was condemned, apart from any question of invocation of demons.

report of extraordinary marvels, and have attended not through any leaning to the spiritist religion, nor even any intention of communicating with spirits, but solely to whet their curiosity, and see what would happen. The Holy Office, in a decree of April 24, 1917, has declared that such a course is not lawful. The decree is as follows :—

Quaeritur : An liceat per *Medium*, ut vocant, vel sine *Medio*, adhibito vel non hypnotismo, locutionibus aut manifestationibus spiritisticis quibuscunque assistere, etiam speciem honestatis praesferentibus, sive interrogando animas seu spiritus, sive audiendo responsa, sive tantum aspiciendo, etiam cum protestatione tacita vel expressa nullam cum malignis spiritibus partem se habere velle ? Resp. : Negative in omnibus.

It had already been the current teaching of theologians that attendance at a seance for curiosity's sake was not lawful. The purport of the decree seems to be clear and absolute. But difficulty has arisen from the final clause : 'Etiam cum protestatione tacita vel expressa nullam cum *malignis* spiritibus partem se habere velle.' The insertion of *malignis* before *spiritibus* indicates that the decree condemns those who pretend that they communicate with good spirits only ; it may be urged that the decree is not concerned at all with those who do not intend to communicate with *any* spirits good or bad, for if it be made to apply to these, there is no point in the final phrase as it stands. This construction of the decree is unwarrantable. The words 'sive tantum aspiciendo' are sufficiently wide and clear to include all onlookers. The final clause is explanatory, not restrictive, and applies to the class of participants covered by 'sive interrogando animas, sive audienda responsa.'

If it be asked why it is unlawful to be a mere spectator at spiritistic experiments, it must, in the first place, be admitted that it is not because it involves a sin of superstition subjectively or objectively. Not subjectively, because *ex hypothesi* the spectator does not desire or intend to communicate with spirits ; nor objectively, for, as we have seen, the preternatural origin of the phenomena of seances has not been established. In the case of any particular seance

the presumption is very strong that one is present at a demonstration of jugglery or auto-suggestion merely. And it is a maxim of moral theology, 'In dubio praesumendus est aliquis effectus provenire a causa naturali, quam a superstitione.'¹

But, yet, we cannot conclude with Podmore that² 'to attend the seances of a professional medium is, perhaps, at worst to countenance a swindle.' It means countenancing much more than a swindle. The sin committed by those who communicate with spirits is one of the gravest, for it is opposed to the noblest moral virtue—religion. More serious still, Spiritism has set itself up as a religious sect, the principal public act of which is the seance. Hence, attendance involves an appearance of favouring the sect, and comes under the rules governing communication with heretical sects. Now, it can hardly be denied that presence at a seance does always involve some element of scandal or co-operation in these sins. It provides encouragement and efficacious assistance to the tribe of mediums and promoters. Spiritism would long since have lost its vogue were it not for the continuous accessions of strength it receives from those who begin as curious spectators. And we must not lose sight of the strictly personal dangers which are also involved. Spiritism exerts a particularly strong fascination on some minds; the risk of becoming embroiled in the cult even to the loss of faith is not to be despised. There are also the physical and moral dangers which have already been described. Finally, there is the possibility that the seance will produce really preternatural phenomena and, consequently, there is a danger of real diabolic intervention.

It is because attendance, even as a spectator, involves these factors—of scandal and co-operation in the sins of others, and of dangers to oneself—that it has been declared unlawful. This has been the general and constant teaching, and it has been confirmed by a reply of the Sacred

¹ Cf. St. Alphonsus, *Theologia Moral*, iii. 20.

² *Modern Spiritualism*, ii. 326.

Penitentiary of February 1, 1882 : ‘ Assistentian etiam mere passivam spirituum consultationibus ut lusibus illicitam esse ratione scandali et periculi propriae salutis quae nunquam penitus absunt.’

It is unlawful to give indirect scandal or material co-operation or expose oneself to dangers, without a proportionate cause. The only cause that the ordinary spectator can allege is curiosity, which theologians pronounce inadequate. As to whether attendance through curiosity on one occasion is a mortal sin or venial, theologians are not agreed. Ferreres, S.J.,¹ holds that it is a mortal sin. Noldin² and Prümmer³ favour the milder view. The amount of scandal and co-operation given by a single attendance varies according to circumstances. It might easily be grave in the case of some persons ; but ordinarily it will not be of serious moment. Nor will serious danger arise from a single attendance. But continuance in the visits will certainly be a grave sin.

It may be asked whether in any circumstances or for any cause could presence at a seance be quite lawful. The decree of the Holy Office makes no exception ; but theologians are agreed that there is one cause proportionate and sufficient, and one only, viz., scientific investigation. The interests of science demand that all kinds of phenomena be submitted to close examination. Not all persons are capable of conducting a scientific enquiry, and not all are free to dignify their curiosity with the name of scientific research. Only those who are trained in scientific method of observation, and who are expert in the physical and psychological sciences, can hope to obtain results worth seeking ; and even they are bound to make it plain that they do not countenance the superstition of spiritists, and to take precautions against the dangers referred to above.

M. J. BROWNE.

¹ *Compendium Theol. Moralis*, 12th ed. vol. i. § 368.

² *De Præceptis*, 13th ed., § 170.

³ *Manuale Theologiae Moralis*, 3rd ed., vol. iii. § 525.

FREEMASONRY

A STUDY IN CATHOLIC SOCIAL SCIENCE

VII—MASONIC AIMS AND METHODS

BY REV. E. CAHILL, S.J.

(b) MASTER WEAPONS AND ORGANIZATION

PERHAPS, the most remarkable of all the Papal pronouncements on Freemasonry is that made by Leo XIII in 1902 in the Apostolic Letter which he addressed to the Bishops of the whole Church on the occasion of the silver jubilee of his pontificate. In this letter he refers to the aims and methods of the Masonic sect, which had gradually become more and more apparent during the previous twenty-five years :—

Including almost every nation [writes the Pontiff] in its immense grasp it unites itself with other sects of which it is the real inspiration and the hidden motive power. It first attracts and then retains its associates by the bait of worldly advantage which it secures for them. It bends governments to its will sometimes by promises, sometimes by threats. It has found its way into every class of society, and forms an invisible and irresponsible power, an independent government, as it were, within the body corporate of the lawful state.

Filled with the spirit of Satan, who knows how to transform himself into an angel of light, Freemasonry puts forward as its pretended aim the good of humanity ; but in reality it sacrifices every other consideration to the success of its own sectarian policy. While pretending to have no political designs, it exercises, nevertheless, the deepest influence upon the laws and administration of States. Paying a lip service to the authority of law, and even to the obligations of religion, it aims (as its own statutes declare) at the destruction of civil authority and of the Christian priesthood, both of which it regards as the foes of human liberty.

Day by day it is becoming clearer that the continued troubles and opposition which have for so long harassed the Church—and the renewed attacks of which it has quite lately been the object—are mainly due to Masonic initiative and activities. This appears evident from several indications ; as a storm from an unclouded sky (that is to say, without any apparent cause proportionate to the effect), assaults and persecutions

have quite suddenly burst upon us; the same means have been everywhere employed to bring about the persecution, to wit, a Press campaign, public meetings and theatrical displays; similar weapons, too, are employed in all countries, namely, the spread of calumnies and the stirring up of popular uprisings. All this points, unmistakably, to a uniform plan of campaign and to one central authority controlling the several activities.

These events are, in fact, merely a single episode in the evolution of a prearranged plan which is being carried out on an ever-widening field of action, and is multiplying over the world the ruins of which we have spoken. Thus, the Freemasons are endeavouring first to restrict and then to exclude completely religious instruction from the schools. . . . They carry on a war by means of the daily press against Christian morals; they turn into ridicule the Church's practices and profane its rites. . . . The Catholic priesthood is attacked with special bitterness.¹

The ultimate object of all Masonic effort is the ruin of religion; the disappearance of all domestic and patriotic ties; the destruction of the Church and of the Christian social organization, and the establishment of some kind of godless Masonic supergovernment upon the ruins. Among the special means employed for these ends are the banishment of religion from the different branches of Government, and from all public institutions; the secularization of education; the gradual demoralization of the people by corrupt literature, a degrading theatre, cinema and Press, and the propagation of gambling, betting, etc., among them; the legislation of divorce, and the promotion of civil marriage; the systematic corruption of women and the promotion of radical feminism. Lying, hypocrisy, calumny, etc., are to be freely used.² We have already referred to Rationalism and Hermeticism (including Theosophy, Christian Scientism, Spiritism, etc.), as characteristic of the Masonic religion and philosophy. They are, perhaps, the most deadly and dangerous aspect of the whole Masonic movement, for they cut deeper than anything else into Christian life whose very foundation they attack.

To convey a general idea of the Masonic organization,

¹ *Parvenu à la Vingt-cinquième année*, March 19, 1902. Cf. *Œuvres de Leo XIII*, tome 6, pp. 287, 288 (la Bonne Presse, 5 Rue Bayard, Paris).

² Cf. Deschamps, *op. cit.*, vol. i. liv. 1; vols. ii. and iii., *passim*. Belliot, *op. cit.*, 3ième partie, chap. i. p. 388; also Benoit, *op. cit.*, tome 2, livre 3.

we may, with a contemporary French Catholic writer, classify the members of the sect into three different categories. In the first place there is the rank and file. The members of this class, which constitute the vast majority, understand little or nothing of the real character and aims of the unholy league to which they have given their adhesion, and which utilizes them for its wicked purposes. Next come the large body of officials of different ranks and degrees, organized into a kind of hierarchy and forming the connecting link between the rank and file and the hidden power which directs and co-ordinates the activities of the whole body. The members of this second class know far more than the preceding, of the aims and character of the order; and it is more difficult to believe in their good faith. Nevertheless, the unexpected conversions from among them, which now and then occur, suggest that some, even of this category, are sincere. Lastly, come the *élite*, who are sometimes called 'The Hidden Power.' These are comparatively few in number—men usually without country or creed, without scruple and often without fear, full of ambition for world-power, and animated by a fierce aggressive hatred against Christianity, for the destruction of which, as well as to satisfy their personal ambition, they utilize the immense resources of their mighty organization. They are supposed to be mostly identified with the great Jewish leaders; but include individuals of all nations and of all sects. These men and their trusted agents are now to be found occupying the points of vantage in almost every country of Europe and America. They control the resources and influence which form the sinews of war; and thus they dominate public life and shape economic and social conditions.

Besides the initiated members of the Masonic organizations, there are to be found everywhere and in every rank of life representatives of that wretched type who are not inaptly styled 'Masons without the apron.' These while not belonging to the organization have imbibed the Masonic mentality; and promote oftentimes, all unconsciously, the interests of Freemasonry among their fellow-countrymen, and even among their fellow-Catholics. It is men of this type that propagate the legend of

the Freemasons' belief in the true God and extol Masonic beneficence, and even go so far as to suggest that the Church may or ought to revise its attitude towards Freemasonry. Of these men some are merely foolish or over-credulous; some have an eye upon self-aggrandisement and position; while some are to be classed as traitors. All are utilized by the sect to ward off or lessen the impact of the blows which are dealt by the champions of faith and fatherland or to neutralize the effect of the Church's uncompromising condemnation.¹

We have spoken in another place² of the enormous and irresponsible power now wielded in every country of the world by the great international financiers. These seem to be identified in large part with the Jewish Masonic leaders. Financial control is to-day the great master weapon of Freemasonry, and the one by which all the other engines of destruction are kept in motion.³ The spread of Rationalism and Hermeticism, already referred to, the anti-Christian Press propaganda and the revolutionary movement are all fostered and promoted in a most efficacious way, by the power and influence which financial control confers.

Of the several subsidiary means which Freemasonry employs, Press propaganda and the revolutionary movements are, perhaps, to-day the most tangible and evident. Hence, we shall dwell upon them a little more fully. From several Masonic documents, some of which we have quoted, it appears that the leaders of the anti-Christian movement rely very much on the public Press as one of their most effective instruments. The great capitalistic Press of the United States, England, Germany, and France is now almost entirely controlled by the great Jewish International Financiers.⁴ The most influential organs are owned by

¹ J. S. de Colmar, *Le Franc-maçonnerie démasquée* (Paris, 1927), pp. 9, 10.

² Cf. the *Irish Monthly*, August-September, 1927.

³ To get an idea of the extent to which the great Jewish financiers now dominate and control the financial world and the whole economic life of the European race, cf. *The Jews' Who's Who* (The Judaic Publishing Co., 62 Oxford Street, London, W., 1921); Lambelin, *Les Victoires d'Israel*, chap. vii.; *The International Jew*, 4 vols. (published by 'The Britons,' 40 Great Ormond Street, London).

⁴ Cf. Eberle, *Grossmacht Presse* (Vienna, 1920), Dr. Eberle is (or was) the editor of the well-known Catholic weekly *Das Neue Reich*. His book is the best on the subject of the capitalistic Press. The facts which he gives in detail prove the predominant control of the Jews over the Press in almost all countries of the world.

them or by syndicates over which they exercise practical control. Even among the journalistic writers themselves the Jewish element is predominant.¹ Even in case of the papers not directly owned by Jews, Jewish influence usually predominates in the management. In such cases the editor or art critics or principal foreign correspondents or all of these usually are Jews. Apart from the direct control or ownership of the Press, exercised by Jewish syndicates or individuals; and apart also from the Jews that take a leading part in the actual work of journalism; it is a recognized fact that practically the whole secular Press of Britain and America is controlled indirectly through the medium of the advertising pages by the great financial and trading interests which Jews largely control, and the displeasure of which no editor will run the risk of incurring.²

Not only what is called the Capitalistic Press, but even the Socialistic Press of the world is owned and controlled by Jewish financiers. Thus 'the editor of the great Socialistic paper of New York, *Vorwärts*, is the Jew, A. Cohan.'³ 'The foundation of the principal French Socialistic paper, *Humanité*, was the work of the Jewish members of the high financial ring—Rothschild, Dreyfus, etc.' The same is true of the other two chief French Socialist reviews, *L'Aurore* and *Le Bonnet Rouge*.⁴

Again, the great news agencies of the world, such as those of Reuter and of Wolff, which are the leading British and German news agencies, as well as that of Havas, the principal French agency (which latter supplies many newspapers with loans as well as with news), are owned or controlled by Jews. Besides these newsagencies, the recently founded J.T.A. (Jewish Telegraphic Agency) supplies news

¹ All this applies to the English papers which at present circulate unchecked in our own country, dominating the tone and spirit of the Dublin press, and bidding fair to supplant it.

² Cf. Belloc, *The Free Press*. This applies less to the Continental Press, which depends more on circulation and less on advertising than the British, American, and (so-called) Irish Press.

³ *Grossmacht Presse*, p. 229.

⁴ *Ibid.*, p. 225.

items *gratis* to most of the big dailies. Even Catholic journalists or editors or those not in sympathy with Masonic or Jewish ideals tend to accept uncritically the news circulated by these agencies; although such news is often misleading and too frequently insidiously hostile to Christianity.

We do not say that all the Jewish newspaper owners or journalists are Masonic, or are active agents in the Masonic movement against Christianity; but, judging from the generally recognized connexion between Freemasonry and modern Judaism, which we have already treated of, and the repeated testimonies in authentic Masonic documents of the reliance of the Masonic powers upon Press control for the furthering of their designs and, above all, in view of the consistent and insidious propaganda against Christian ideals and Catholic interests which characterizes the Jew-controlled Press of the world, one is forced to the conclusion that this Jewish control is, broadly speaking, exercised in the interests of naturalism, and is, on the whole, definitely anti-Catholic.

The Jew [writes Lazare] is not content to dechristianize—he *Judaizes*; he destroys the Catholic and Protestant belief; he provokes to religious indifference; but he also imposes on those whose faith he destroys his own conceptions of the world, of morality and of human life; he labours at his age-long task—the destruction of the religion of Christ.¹

Hence the substantial accuracy of Dr. Eberle's own summary of the case can scarcely be called in question:—

Jews are in control of the leading organs of public opinion of the world. The intellectual outlook and the special interests of the Jewish nation are always the deciding factors in selecting topics and news items, and in determining the manner of treatment. . . . The main editorial staffs are employed to serve the interests and promote the ideals and hopes of Jewry.²

¹ *L'Antisémitisme*.

² *Grossmacht Presse*, p. 294. What is said here of the Press applies with equal or still greater force to the cinema; practically the whole of which all over the two Continents is in the hands of the Jews. Cf. *Rev. Internat. des Soc. Secrètes*, December 16, 1928, p. 1169, for a complete list of the great firms (all controlled by Jews) which supply the film and cinema markets of the English-speaking world.

That the ideals and hopes of Jewry or at least of the Jewish leaders are antagonistic to Christianity, and more or less in harmony with the objects of Freemasonry does not admit of denial.

We have treated elsewhere¹ of another formidable force which has appeared in the modern world, apparently antagonistic to capitalism and international finance, but no less opposed than it to Christian civilization and Christian ideals. This force is Socialism, especially in the shape of revolutionary Communism or Bolshevism, as it is now commonly termed. The intimate connexion of Socialism with Freemasonry is strongly emphasized by Leo XIII in several of his great Encyclicals. The fundamental aims and ideals of the two are closely akin. Both are international, anti-patriotic, disruptive, and materialistic. The predominating influence of the Masonic Jews in Russian Communism and, indeed, in the whole modern socialistic movement is now commonly admitted.² The rise of Bolshevism in modern times represents the ripened fruit of the revolutionary and anarchical movements which have kept portions of Europe and America in spasmodic turmoil during the past century and a half. Now all these movements can be traced to the activities and intrigues of the secret societies connected with Freemasonry.

The following extracts from one of the works of M. Eckert, a very able and well-informed student of Freemasonry, will help to throw much light upon this aspect of our subject. Eckert wrote about the middle of the last century. He was a native of Saxony and a Protestant, and was a scholar of very remarkable erudition. He devoted his life to the work of unravelling the mysteries of the Masonic societies, and published several valuable treatises on the subject.³ Our extracts, which are taken from Gyr's

¹ The *Irish Monthly*, April to July, 1928. Cf. also Lambelin, op. cit., chap. v. Deschamps, op. cit., vol. ii. chap. 14, vol. iii. chap. 26.

² Cf. *Irish Monthly*, June, 1928, pp. 326-7.

³ Cf. *La Franc-maçonnerie dans sa véritable signification* and *La Franc-maçonnerie en elle-même et dans sa rapport avec les autres Sociétés Secrètes de L'Europe*, both translated from the original German by Gyr. (Liège, 1854 and 1855).

translation of Eckert's works, contain a brief summary of some of the results of his investigations :—

Masonry, being a universal association, is governed by a single chief called the *Patriarch*. The title of Grand Master of the Order is not the exclusive privilege of any one family or nation. Scotland, England, France, and Germany have had in turn the honour of giving to the Order its supreme ruler. It would seem that at present [1857] Lord Palmerston¹ enjoys that dignity. Associated with the Patriarch are two committees composed of delegates of the Grand Orient, one legislative and the other executive. It is only the members of these committees that know the Patriarch, and they alone are in communication with him.

All modern Masonic revolutions prove that the Order is divided into two distinct parts : one pacific or constitutional and the other warlike or revolutionary. The former employs only peaceful means, viz., the platform and the Press. Its role is to lead the authorities or persons whose ruin it wishes to bring about towards self-destruction or mutual war. It subdues into the service of the Order all the important positions in the State, in the Church,² in the Universities, and in all spheres of influence and power. It seduces the masses of the people, dominates public opinion, by means of the Press and the interpenetration of different Masonic or quasi-Masonic associations, etc. . . . Its directory calls itself the Grand Orient. It closes its lodges (I will shortly say why) as soon as the other division, viz., the warlike or revolutionary section, marshals into the street the populace whom it has won over to the designs of the Order.

When the pacific section has pushed its activities to the point that a violent attack may seem to have soon a chance of success ; when passions are inflamed, the ruling authority sufficiently undermined and enfeebled, and the pivotal positions in Church and State occupied by traitors, the division of war is ordered to commence its active operations.

From the time that the revolutionary attack commences and the division of war has taken up the reins, the lodges of the other division close down. . . . One effect and purpose of these tactics is to prevent the possibility of the Order being convicted of co-operating in the revolution. . . . Besides, in actual fact, while the high dignitaries of the Order form portion of the war party as well as of the pacific section, the great majority of the members of these two parties do not know of the connexion between them. . . . Hence, in case of the failure of the revolution the pacific party (whose policy is directed by the high chiefs)

¹Cf. Dillon, *op. cit.*, chaps. xvi.-xix. for a very interesting discussion on Lord Palmerston, and his 'complicity in the worst designs of atheism against Christianity,' of which Mgr. Dillon says: 'The proofs are so weighty, clear, and conclusive that it is impossible to refuse them credence,' p. 91.

²Eckert, a Protestant, refers here to the Protestant sects.

are enabled to come to the protection of the others . . . representing them as patriots of excessive ardour, misled beyond the limits of good order and prudence.

If, on the other hand the revolutionary movement succeeds, the members of the pacific party are ready to seize on the important administrative positions in the State.¹ The method of action here outlined has been exemplified again and again in the European and American revolutionary outbreaks during the past century and a half.

Claudio Janet, writing some thirty years later (1880) in his able and comprehensive Introduction to Père Deschamps' *Sociétés Secrètes*, while admitting the reality of a unified centre of control in Freemasonry (whose existence is asserted or implied by Eckert, Gougenot-Demousseaux, and Deschamps as well as the best-informed present-day writers on Freemasonry such as Mgr. Jouin and his collaborateurs), adds his conviction that the authority of the controlling body is not always or everywhere recognized ; that opposing currents of different kinds (such as personal rivalries, racial or national jealousies, opposing financial interests, etc.) frequently arise to mar the efficiency of this instrument of evil:—

These intestine discords are oftentimes the means which Divine Providence employs to check the successful advance of the forces of destruction. . . But it cannot be denied that these forces are tending more and more towards unification. . . . On the day that such an unification is realized, the time will be ripe for anti-Christ.²

How far these great forces of evil have at present secured unity of control and action, it is difficult to judge with certainty. Leo XIII in the extracts quoted above implies, as practically certain, that there existed even a quarter of a century ago a single centre of control, directing Masonic activities all over the world. The indications of such a unified control seem to be much clearer to-day than they were then. Probably the war against Christianity was never prosecuted (at least since the early centuries) with such vigour and

¹ *La Franc-maçonnerie en elle-même*, etc., tom. i. pp. 28, 29, quoted in Deschamps, op. cit., vol. i. pp. xciii, xciv.

² Cf. Deschamps, op. cit., vol. i. p. xeviii.

universality or with so much apparent unity of plan in almost every country as it has been during the last ten years.¹

It seems certain also that since the emancipation of the Jews the direction of Freemasonry has fallen more and more under the control of the Jewish Masonic leaders. The break up of Protestantism in England and Germany has facilitated the rise of the Jewish element in Freemasonry into its present controlling position. One result of this development seems to have been that the policy and aims of Freemasonry have become more clearly defined. Thus, it is only during the last half-century that the definite objective of a world-state controlled by a Masonic ring, and the utilization of gold and international finance as the principal instruments for its realization (both Jewish conceptions) appear prominently and with clear definition. The present Masonic control of world-finance; the Russian revolution (aided, apparently, by the international financiers) with its aspirations towards a universal Masonic State; and the formation of the League of Nations as a purely naturalist institution (also a Masonic conception and put forward again and again during the past half-century by the Masonic leaders²); each marks a certain stage of advance towards

¹ It is clear, however, that the Italian and Spanish revolutions and, possibly, the rise of Poland, have been each a serious check to the Masonic advance.

² Cf. Lambelm, *op. cit.*, chap. vii. See also Jouin, *Bicentenaire de la Franc-maçonnerie* (Paris, 1917), pp. 10 ff., for a series of Masonic pronouncements before the Peace Conference in favour of such a league. Cf. also the brochure *La Dictature de la Franc-maçonnerie sur la France*, by A. G. Michel, p. 66, for Masonic testimonies of the past six years showing the great hopes which Freemasons place on the League of Nations in connexion with their policy and aspirations. In 1921 the *International Masonic Union* was formed with headquarters at Geneva. This union has already secured the adhesion of about twenty Masonic jurisdictions. Its statutes correspond closely to those of the League of Nations. Its meetings are held at the same time as those of the Council of the League. There is a good deal of correspondence between them and very many indications of an intimate mutual connexion. Cf. *Rev. Intern. des Soc. Sec.* (passim).

It is true that a League of Nations in which the Church and its Ruler, who is the Vicegerent of Him Who is the supreme King of Nations and the Prince of Peace, would have a due participation is eminently in accord with Christian ideals. Cf. Abbé Paulin Giloteaux—*Patriotisme et Internationalisme* (Tequi, (Paris 1928, pp. 226-270) The action of the anti-Christian forces in making the present institution purely naturalistic (cf. *ibid.* pp. 247-249) is in accordance with Masonic methods and tradition.

the desired objective. How the further developments are to work out, God alone can foresee.

Here we take leave for the present of this repulsive, but all important subject. The Church, doubtless, will triumphantly repel the assaults of Freemasonry as she has repelled every assault of the agents of Satan for the past two thousand years. But in the meantime religion and morals are suffering, and will suffer, heavily in the contest; and no country, much less our own, is immune from attack, or from the danger and losses which such a war entails. The losses to be sustained in each country will be less in proportion as the clergy are alive to the character and magnitude of the peril, which is probably the most deadly that God's kingdom on earth has ever had to face.

E. CAHILL, S.J.

A RIDE TO THE MONASTERY OF MAR SABA AND TO DEIR ED DOSEH

BY REV. P. P. MCKENNA, O.P.

ON a lovely morning in summer we left Jerusalem—the present writer and an Arab guide—to ride to Mar Saba and Deir Ed Doseh, two monasteries belonging to Greek Orthodox monks, which are situated among the Judæan hills south-east of Jerusalem.¹ Mar Saba is built on the western side of the Cedron Valley, and overhangs an immense gorge, behind which undulating and desolate hills stretch to the shores of the Dead Sea. Deir Ed Doseh is higher up to the north-west, and nearer to the public road which runs from Jerusalem to Bethlehem and Hebron.

From the École Biblique of the French Dominican Fathers we rode down the Naplûs road to the Damascus Gate, and, turning to the left, passed on our way the quarries of King Solomon² and the Grotto of Jeremias the Prophet.³

In a few minutes we reached the royal Gate of Herod, and soon after were on the rising ground which overlooks the Valley of Josaphat, and could see at our feet Gethsemani, and the ancient church of the Assumption over the Tomb of the Virgin. Behind Gethsemani, the Mount of Olives, covered with evergreens, extended before our eyes from the Russian church up to the Tomb of the Prophets and the church of the *Pater*, and on towards the village of Et Tûr and the chapel of the Ascension.

¹ *Mar* is Arabic for saint (Christian); but *veli* a holy man (Mohammedan). *Deir Ed Doseh* or Monastery of Theodosius (saint).

² These quarries which extend to the south-east for 250 yards under the city were called by Josephus the Royal Caves.

³ A late tradition makes this grotto the place where Jeremias wrote the Lamentations. The skull-shape of the neighbouring Hill of Jeremias so attracted General Gordon that he or his friends considered it to be the Golgotha of the Crucifixion. The Garden Tomb was, therefore, thought to be near this hill. But the theory is opposed not only to tradition, but to the opinion of all experts.

The rays of the morning sun rested on the hillside where Bethphage lies to the south-east; but scarcely yet touched El Azariyeh, or Bethany, the modern Mohammedan village, which lies lower down along the white, winding road that leads to Jericho.

Before crossing the valley of Cedron, which is called by the Arabs *Wâdy en Nâr*, or the Valley of Fire, we passed on our right a pathway which runs up the western slope of the valley to the *Bab Sitti Mariam*, or the Gate of the Lady Mary.¹ This gate lies to the north of the Golden Gate, and behind it opens out the esplanade of the Temple, now the *Harem Esh Sherif* of the Mosque of Omar. To the right of the pathway is the *Birket Sitti Mariam*² and further, on the same side, the Pool of Bethesda, and beside it the church of St. Anne which was erected on the spot where, according to tradition, the Blessed Virgin was born.

Crossing the valley I saw on our right the so-called tombs of Absalom, Josaphat, Zacharias and St. James, and the sites of the graves where Jews and Mohammedans are buried on the eastern and western sides of Josaphat served as a reminder of that Great Day when Mohammedan, Jew, and Christian alike must assemble to meet the Lord in Judgment.

A few minutes' ride and we reached the narrow sloping path which runs under the village of Siloe.³ Across the valley, to the right, Arab women carry on their heads the pitchers of water which they have filled at the Virgin's Fountain. They climb to the village up the rocky steps of *Zahoueileh*, which has been identified with the Stone of *Zohelath*, made famous because of the venture of Adonias, one of the sons of David, at the Fountain of Rogel.⁴

Many think that the Virgin's Fountain was the

¹The Arabs hold Our Lady in great veneration. A Mohammedan told the present writer that he considered her the purest and holiest of women.

²*Birket* is a pool, *bir* a well, and *ain* a fountain in Arabic.

³The Arabic name now given to Siloe of the Vulgate is *Silwân*. In Hebrew it is written *Shiloach* or *Shelach*, and in the Greek *Siloam*.

⁴This spring is called the Fuller's Fountain or the Fountain of the Spy. Rogel is derived from the Hebrew *Ragal*, to tread or to go about. Cf. 2 Kings xvii. 17.

ancient Gihon of the Jews. Not a few, however, have placed the source of the *Upper Gihon* on the north or north-west of the city. A tunnel made by King Ezechias connected the Virgin's Fountain with the Pool of Siloe, while at the same time the monarch walled up the fountain at its source to save the city's water supply when it was about to be besieged by Sennacherib.¹ The tunnel can still be seen, and an inscription found there and written in Phœnician characters furnishes a good example of ancient Hebrew writing.² The Pool of Siloe was made ever memorable by the miracle performed by Our Lord on the man born blind.³ The Prophet Isaias, referring to David's royal House, introduces a comparison from 'the waters of Siloe that go with silence,'⁴ and the poet Milton thus invokes the Muse in the opening pages in *Paradise Lost* :—

If Sion's hill
Delight thee more than Siloe's brook that flowed
Fast by the oracle of God, I thence
Invoke thine aid to my adventurous song.

A little to the south of Siloe is the Pond of Solomon called in Arabic *Birket El Hamra* or the Red Basin. South of this I saw on our right a hillock on which is an old mulberry tree. This is the spot where tradition places the martyrdom of Isaias, the Prophet, when he was sawn in two by order of the wicked Manasses. Near this spot the waters of Siloe still continue to fertilize the Garden of Solomon. This garden is thought to be the one to which reference is made by the inspired writer in the Canticle of Canticles, 'My sister, my spouse, is a garden enclosed, a garden enclosed, a fountain sealed up.'⁵

¹The Jebusites, like King Ezechias, also made a tunnel to the Virgin's Fountain. It is said that Joab, David's famous captain, entered the city through this tunnel. Cf. 1 Par. xi. 4-7.

²In making excavations in 1896 Mr. Bliss discovered the remains of an ancient church near the Pool of Siloe. He also uncovered portions of the ancient wall and a gate and the street and canal which are a continuation of those discovered by Wilson near Robinson's Arch. The gate is considered to be the one mentioned by Nehemias (Neh. ii. 14; iii. 15).

³John ix. 1-7.

⁴Is. viii. 6.

⁵Cant. iv. 12.

We rode past the *Bir Ayoub*, or the well of Job. Near this fountain Adonias, the son of David, assembled his followers when he wanted to be proclaimed king in succession to his father. But David, we are told, sent Solomon with Sadoc the High Priest to the Pool of Gihon, where the son of Bersabee was proclaimed king instead of Adonias.¹ This pool is memorable because of the Messianic prophecy of Isaias made in its vicinity to King Achaz, when the prophet foretold the miraculous birth of the Messiah. 'Behold,' said the prophet, 'a virgin shall conceive, and bear a son, and his name shall be called Emmanuel.'²

We were now at the border-line which separated the tribes of Judah and Benjamin. This boundary began north of the Dead Sea, and, passing south of the *Wâdy el Kelt*, came to Debara and Adommim and by *Ain Shemes* to the Fountain of Rogel and up the Valley of Hinnom.³ Above us, to the right, Haceldama, with its rocky tombs, seemed to frown across the valley on the Hill of Scandal which rises from the village of Siloe. On this hill Solomon built a temple to satisfy the wishes of his foreign wives, and here also, under their evil influence, he bent his knee to Moloch and Astaroth.⁴ A Benedictine college and convent now crown the summit of the hill, and in the college Catholic students are educated for the Church in Syria.

I could scarcely do more than cast a hasty glance at the various objects of interest as we passed, for the pathway was rough, and the present writer, at least, was not yet familiar with the stride of the mule as the animal made his way across the uneven ground, and tried to adapt his pace to the precipitous descent from Siloe to the lower ground where the vale of Hinnom and the Tyropœan join Cedron on the south-east of the Holy City. From this point the ride through the Cedron Valley to Mar Saba is about three hours.

In a few moments we reached the Almond Springs, and left behind us the *Wady Yasul* and the ruins on the

¹ 3 Kings i. 39.

² Is. vii. 14.

³ Jos. xv. 5-7; xviii. 16-18.

⁴ 3 Kings xi. 5-7.

way that leads to *Beit Sahur El Wad*. This place was once inhabited by a people whose descendants now lead a nomadic life on the western shore of the Dead Sea. We passed *Deir Es-Senne* which is said to have been long ago a settlement of Essenes, and came afterwards to several rocky tombs and cisterns. Far off on the right we could see from the route the Mohammedan village of *Sur Baher*.

Our way was now over slanting rocks and among huge boulders, while the Arab, who was familiar with the difficulties of desert travel, urged on his animal at an inconveniently rapid pace. Hills on both sides descended abruptly to the valley with no sign of human habitation anywhere. But high above us on the heights shepherds were guarding their sheep or flocks of sheep and goats intermingled, and here again the local colouring was impressive, for it is well known that in the evening the shepherds separate the sheep from the goats—an action which Our Lord used as an illustration of the separation of the good from the wicked on the Day of Judgment.¹

In less than an hour we came to a number of Bedouin tents scattered along the curves of the hills, and the guide saluted at intervals the casual Bedouin strollers who, in the early morning, were out either for curiosity or, perhaps, on business of a more serious nature. But the Arabs are sociable beings, and a foreigner is surprised at the familiarity with which they address one another—even when perfect strangers. My guide, therefore, told all whom we met that we were on the way to Mar Saba. Yet the traveller can stake his life on the fidelity of his guide, even though at times he may think it prudent to return by a different route, or, at least, to return before the setting of the sun.

We rode on among the hills, in a lifeless region, alone with nature in her sternness and desolation. God had surely great designs in forming this land, and making it a fitting home for the poetry and romance, or better still, for the prayer and prophecy, of the men and women of Israel. He certainly provided a choice setting for the mission of

¹ Matt. xxv. 33.

Him of Whom the prophets spoke, the promised Messiah, the Incarnate Son of God. In this deserted spot one realizes the beauty and strength of the symbolic utterances of the prophets when they foretold how in the Kingdom of Christ the parched and barren wilderness would be changed into a land of flowers and fruit, or rich with fields of golden grain. Even down the valley where we rode the symbolic stream spoken of by Ezekiel was to flow and, deepening as it passed, give life and hope to the souls of men in their struggle against evil.¹ But the stream was only symbolic for, although the hearts of men have been changed by the life-giving grace of Christ, yet the desert remains the same.

We passed the well *Abu Kelab* and came to a Bedouin cemetery where there is a cenotaph erected to the memory of the Sheik, Maseyif. Desolate cañons opened up on every side, and beds of mountain streams long since dry. The lofty hills lifted their heads to heaven, and now and again seemed as if about to shut out the sun. This was a relief to the weary travellers, for, even at that early hour, the heat of the sun was tropical.

Several pathways now branched off from the main route and the guide for the first time was uncertain which one to take. Thinking that we were near our destination he chose the precipitous way to the right, which led up a steep slope to an overhanging mountain ridge behind which he expected to find Mar Saba. But, when he discovered his mistake, he put his hands to his mouth, and, with a loud cry that re-echoed among the hills, called for guidance to anyone who might happen to hear the call. But no voice replied to this original appeal for help. He repeated the call, and then we heard a voice in the distance among the hills—the voice of someone whom we could not see, perhaps a shepherd, but it did not matter—the guide was now certain of his course, and we descended the mountain by a way more direct and, therefore, more precipitous than that by which we had ascended.

I was unwilling to ride down the hill, for the descent

¹ Ezek. xlvii. 1-12. Cf. Is. xlv. 3, 4. Joel iii. 18.

was so steep that an observer from below might think that the mule was moving on his head rather than on his limbs. The Arab was scandalized at this apparent want of confidence in the sure-footedness of his animal. But I preferred to walk for it was not merely a question of the sure-footedness of the beast, but also of the additional possibility of toppling over his head.

At the foot of the hill we turned to the south and finally reached a deep gorge, the sides of which are honeycombed with caves. In these caves anchorites once dwelt, and beneath them the valley sinks lower and lower towards the shores of the Salt Sea. Over this gorge is the monastery of Mar Saba, so called because it was founded by a saint of that name.

St. Sabbas was born at Mutalaska in Cappadocia in the year 439. He first entered a Basilian monastery and, afterwards, in 456, he came to Jerusalem. Here he chose for his spiritual guide St. Euthymius, and in the year 483 he founded his *laura* in the heart of the Judæan hills in a region at once desolate and awe-inspiring. At first he was only a simple monk without Holy Orders, but in the year 491 he was ordained a priest by Sallustius, Patriarch of Jerusalem. Three years afterwards he was appointed Archimandrite over all the hermits of Palestine. He was a rigorous defender of orthodoxy against the heresy of Eutyches, and in the monastic rule attributed to him due provision was made for the proper observance of divine worship throughout the year. The saint died in 532. His monastery which suffered at different times from the assaults of armed marauders was almost abandoned after the time of the crusades, but was restored by the Russians in 1840.

We were now approaching Mar Saba by a pathway which runs close to the edge of a deep ravine. At the end of this pathway we turned to the right and, descending a number of broad steps, came to the door on the western side of the building. Here visitors are usually received.

The first objects that meet the visitor's eye on

approaching the monastery are two immense towers with which the building is flanked. On the left is the tower of Edoxia, called after the Empress who formerly came here to consult St. Euthymius. In this tower is an oratory built in honour of St. Simon Stylites. It has been the custom of the monk who keeps watch in this tower to lower a basket so that visitors might deposit their letters of introduction from the Greek Patriarch. But the monks are not so exacting now, or, at least, I was not asked to show a permit. To the right and at some distance from the entrance there is another tower built on an elevation. In this tower women who are courageous enough to make the journey to Mar Saba are received. But no woman is allowed to enter the precincts of the monastery.

In response to the loud knocking of the guide on the massive door—there was neither bell nor knocker—a monk came to the entrance to receive us. Having told him the object of our visit, he opened the door and with much courtesy invited us to enter. After entering we crossed the courtyard, and then descended two flights of steps to another courtyard where we deposited some of our luggage. Here we waited to see the Superior or rather one of the Superiors, for there are three with equal powers, while the supreme authority is vested in the Greek Patriarch at Jerusalem.

The Superior who received us gave me a cordial welcome, and inquired concerning the difficulties of the journey and the time when we left Jerusalem. He then invited me into the hospice for food. I told him that we had provisions for the journey, and that if he kindly consented we could take them to the hospice, where the shade and coolness would be an agreeable change from the sweltering heat outside. After the meal he brought in a glass of arrack,¹ and joined in a cup of coffee which he himself brewed on a stove in the hospice.

¹ *Arrack* is an Arabic word for juice. The drink is a spiritous liquor procured by fermentation from the cocoanut palm, and sometimes from rice and sugar.

In the monastery there are thirty-five monks of whom three only are priests. Thirty-two of the members of the community are from Greece. Of the remaining three one is a native, another a Rumanian, and the third a Russian. Solemn Office is sung in choir, and each morning there is a High Mass at which all assist. The priests sing the Mass, each for a week in turn, and there is only one Mass each morning. The ceremonies, like all Oriental ceremonies, are very long, and the monks are often in choir for several hours at a time. The lay-monks receive Holy Communion under both species, and communicate only once in three weeks. But the brethren lead an austere life, observe perpetual abstinence, and, during the fasting season, take only one meal in twenty-four hours. At other times they are allowed a collation in the afternoon.

The building looks like an immense terraced amphitheatre clinging to the rocks. Everywhere there is a curious blending of nature and art, for parts of the monastery are portions of the natural rock, while other parts are built of stone, with walls, battlements and passages, along which the monks move in silence. A solitary palm, hanging from a rocky crevice, is said to have been planted by St. Sabbas himself. The Superior told me that it possesses miraculous powers and that, like the olive, it renews its youth from time to time. It is in bloom in April, and the stoneless dates which it produces are ripe in September. In the ravine, beneath it, a little spring flows which we were told owes its origin to the prayers of St. Sabbas.

In this solitary retreat the monks pass their days in silence. When not employed in choir or in the kitchen or gardens, they recreate themselves by feeding wild birds, the pigeons and golden-winged grackles,¹ which frequent the place or, perhaps, give food to hungry jackals when they venture here to seek hospitality as the lion did of old when he sought the lonely cell of St. Sabbas.

Besides the large monastery church there are many chapels of saints in various parts of the monastic buildings.

¹ The grackle is a tropical or subtropical bird of the starling family.

One of these is known as the Chapel of St. Nicholas. This was the first church built by St. Sabbas. Behind a screen at one side within the chapel the Superior pointed out a number of skulls of monks, who were martyred when the Persians under Chosroes invaded the country in the seventh century. Before the entrance, in a courtyard, is the tomb of St. Sabbas. But the body of the saint is now in Venice.

The large and comparatively modern church is on the east side of the courtyard. It is built in the form of a Greek cross with a cupola, and is supported by enormous buttresses. There are some interesting frescoes on the walls. It is connected with the cells of the monks by corridors and spiral staircases. It is also convenient to the refectory, in which there are paintings—one of the Last Supper and others of the saints and anchorites of Palestine. In the vicinity is the chapel of St. John Damascene, and the cell where the saint lived and died.

Even when a young man at the court of the Caliph of his native city, John of Damascus had defended the Church's doctrine on the veneration of images, and wrote vigorously against the Iconoclast, Leo the Isaurian. When falsely accused by that monarch, the Caliph dismissed him from his service, but afterwards, recognizing the falseness of the charge, he offered to restore him to office. But John had already decided to leave the world, and soon after he entered the monastery at Mar Saba. His life there was one of prayer and study. He wrote his celebrated work on the Orthodox Faith and in his writings expounded the Church's teaching on the veneration due to images, to the Saints and to Our Lady. He also wrote on the doctrine of the Real Presence of Our Lord in the Blessed Sacrament, and on the Primacy of St. Peter.¹ He was a pioneer in sacred music and a poet. By order of Pope Eugenius III his works were translated

¹ It is sad to think that the monks of the monastery once sanctified by the prayers and work of St. John Damascene have been, so to say, automatically cut off from the jurisdiction of the successors of St. Peter. Their austere life cannot compensate for the loss of spiritual energy thus cut off at its source.

into Latin. St. Thomas of Aquin drew extensively from his writings.¹ He was declared a Doctor of the Church by Pope Leo XIII, and has been deservedly called the last of the Fathers and the precursor of the Scholastics.

There are other cells which were hallowed by saints who once dwelt within the monastery walls. Such were John the Silent, St. Theodore of Edessa, St. Cosmos of Maïouma and St. Theophanes. Chapels have been built to the Apostles SS. Peter and Paul, to St. George, and one in honour of St. Sabbas himself. The latter is entirely hollowed out of the rock, and is connected with the cell where the saint passed so many years. Near this chapel is the Grotto of the Lion with paintings on the walls which recall the story of the intimacy which existed between the saint and the king of the forest, when the latter visited him in his cell.

The monks of Mar Saba possessed at one time a fine library of precious manuscripts; but for greater security they were removed some time ago, first to the monastery of St. John of the Cross near Jerusalem, and afterwards to the library of the Greek Patriarch within the city.

Nothing could exceed the hospitality and kindness shown by the monks during my visit. Indeed, the Superior pressed me to stop for the night. But we were expected in Jerusalem that evening, and, if we did not return, friends might think we had lost our way or had 'fallen among robbers.' When we left, the Superior accompanied us to the gate to give final instructions concerning the route which leads from Mar Saba to Deir Ed Doseh.

We turned from the Cedron valley by a pathway running north-west through a desert country. Before us the hills rose in tiers over deep *wâdies*, while all around I could see nothing but stretches of sand beneath arid slopes with little or no vegetation anywhere. We rode along valleys the precipitous sides of which descend for hundreds of feet, and then climbed the hills until at last we reached the

¹ In the eighteenth century a fine edition of the works of St. John Damascene was published by Père Lequien, O.P.

highest level where a magnificent view of the surrounding country opened up before us. To the west the Mountain of the Franks, where Herod the Great built a magnificent summer residence, served as a landmark to lead the eye towards Thecua, the native place of Amos the Prophet. To the north, Jerusalem, with its towers and minarets, shone yellow in the afternoon light. We could see to the east the reaches of the Jordan with the mountains of Moab in the background, and nearer, on the west of the Dead Sea, Engaddi with its palms, and the wild regions where David sought refuge from the wrath of King Saul. Further south is the deep depression which is but a continuation of the Jordan Ghôr as it passes through the wilderness towards the Sinai Peninsula and on to the Gulf of Akaba. To the north-east rises the Mountar or the Watch Tower where, according to Jewish tradition, the scapegoat loaded with the sins of the people was brought and cast into the abyss below. The place is, indeed, suited for such a tragic and symbolic ceremony.

After more than an hour's ride we came to a beautiful garden, which, with its tempting fruit and odorous flowers, offered an agreeable contrast to the dry monotony of the wilderness. Indeed, this fertile spot in the midst of a desert is a proof of the possibilities of the land which once 'flowed with milk and honey.' A monk from the monastery of St. Theodosius was engaged in carrying water to the vegetables and flowers from a neighbouring fountain. The guide approached and asked the brother for a drink. In such circumstances one could fully appreciate the importance of wells in the East, and the significance of many incidents associated with fountains and springs which are recorded in Sacred Scripture. This request for a drink served as a reminder of many a scene depicted in the Bible from the days of Abraham and Moses until that day at Jacob's well in Samaria when Our Lord asked the Samaritan woman for a drink. Perhaps, too, it is only the thirsty traveller in the desert who is in a position to fully realize the significance of the symbol of the 'water of life,' which Our Lord offered

to the Samaritan woman, and which He is ever ready to give to the souls that thirst for it.

At the monastery gate I was received with much kindness, and invited into the enclosure. A monk conducted us to seats not inside the monastery but outside in the pleasing shade. Here he brought the usual arrack and coffee. Indeed, the reception might remind one of the manner in which Abraham received his guests when, in the heat of the day, he offered them seats under the oak tree at Mambre.¹

The monk led the way to a grotto in which, according to tradition, the three Magi stopped during the first night after the angel had warned them not to return to Jerusalem to meet King Herod, but to go directly to their own country. To this grotto St. Theodosius came from the church of Our Lady near the *Bir el Kadismou*, on the road to Bethlehem.² In this same grotto the saint died and was buried. During his life a number of recluses gathered around him, and here, under his rule, led a coenobitic life about the same time that St. Sabbas governed his subjects as anchorites or hermits in their *laura* at Mar Saba.

Portions of the church attached to the monastery were set apart to suit the different rites of the monks. The larger portion was reserved to the Greeks, while another part was constructed for the Armenians, Arabians, and Persians. The monks who spoke the Slavonic and Runic tongues occupied the third portion, while a fourth was reserved for penitents.

There are still many interesting remains of the ancient church of St. Theodosius, and also of the monastery, infirmary and guest-house. A great variety of antique

¹ Gen. xviii. 4.

² According to an early tradition the Blessed Virgin and St. Joseph stopped at this well on their journey to Bethlehem. *Kadismou* is not an Arabic word, but is probably connected with the Greek, *Kathisma*, a place of rest. *Bir el Kadismou* would, therefore, mean *Well of Repose*. It is also called the *Well of the Magi*, for the Star is said to have reappeared here to the Magi on their way to Bethlehem. St. Theodosius was, for some time, attached to a church built near this well. This saint was also, like St. Sabbas, a Cappadocian.

inscriptions and paintings are preserved by the monks of the present community.

It was late in the afternoon when we parted from the Superior at the monastery gate. The guide was at this time anxious about the hour, for in the East it is not customary to be abroad in the hills after sunset. We hurried on our way and, descending by a precipitous path, came to a valley which opens into the *Wâdy en Nâr*. But night had settled on hill and valley long before we left the Cedron, and ascended the rising ground south of Mount Sion. We rode up the vale of Hinnom¹ having the city on our right and the Hill of Evil Counsel on our left,² and passed near to the Cenacle and to the great German Benedictine church of the Dormition of Our Lady,³ which is near to the sites of the houses of Annas⁴ and Caiphas.⁵ We came by the *Birket es Sultan* to the Citadel and Tower of David, and passed through the Jaffa Gate. By narrow and unfrequented streets we reached the Damascus Gate, and late in the evening arrived at the Dominican Church of St. Stephen and the French Biblical and Archaeological School from which we had set out early in the morning.

P. P. MCKENNA, O.P.

¹ According to St. Jerome the High Place of Topheth, where the idolatrous Kings of Juda offered sacrifice to Baal and Moloch, was in the southern portion of this valley, and near to Siloe. Cf. 4 Kings xxiii. 10.

² According to a fifteenth-century tradition the High Priest with the Jews came to this hill to take counsel against Our Lord. Its sides are pierced with sepulchral caves where anchorites once dwelt.

³ Tradition places the death of Our Lady at the place where this church is built. In 1898 the ex-Kaiser, William II, acquired the ground of the foundation, and gave it to the German Catholics.

⁴ The traditional site of the House of Annas is now occupied by the chapel attached to a convent of Armenian nuns.

⁵ The buildings around the enclosure where the Armenian Patriarchs are buried is said to occupy the site of the House of Caiphas.

A PIONEER OF CATHOLIC EMANCIPATION

JOHN KEOGH (1740-1817)

By PATRICK L. O'MADDEN, B.A.

I

THE penal régime, under which Irish Catholics groaned during the eighteenth century, reduced the mass of the people to impotence. Pride, arrogance, and a spirit of domination permeated the Protestant Ascendancy, and motivated their evil genius in the enactment of the Penal Code—that unparalleled system of legal oppression. The faithful adherents of the Catholic religion, which had civilized and ennobled the European races, were reduced to civil servitude, made to feel they were strangers at home—exiles in Erin. No wonder the vast majority of the natives sank into despondency beneath the iron heel of their oppressors. There were, however, a few master-spirits among the Catholic body who never despaired of the regeneration of their country, and of the inevitable day which would supersede the long night of their sufferings and humiliation. Among these worthy pioneers of Catholic Emancipation were Dr. John Curry of Dublin, Charles O'Connor of Bellanagare, Thomas Wyse of Waterford, and John Keogh of Mount Jerome, Dublin. Seeing that the Government—the 'Club' which ruled and ruined Ireland from College Green—had a total disregard for the welfare of the Catholics whom they had put outside the much-vaunted British Constitution, three of these representative and patriotic members of the Catholic majority formed themselves into a Committee for the Management of Catholic Affairs. This Committee was a nucleus around which gradually collected the most spirited and intelligent Catholic laymen in the

land. The ultimate aim of the Catholic Committee was a complete abolition of penal statutes, but their immediate object was to secure some relaxation in the elaborate contrivance for their degradation and impoverishment—to loosen a few bolts in the infernal machine which Montesquieu affirmed must have been patented in hell.

The year 1760, in which the Catholic Committee was formed, is memorable in Irish history, as it marks the beginning of the long and intermittent struggle for complete emancipation, which terminated in triumph in 1829 under the matchless leadership and genius of O'Connell.

At a meeting held in the city of Dublin Mr. Wyse submitted his plan of a Committee. It proposed the establishment of a perpetual committee of representatives, one for each parish in the Metropolis, to be chosen by ballot at a meeting of the principal inhabitants, and a certain number for each county or diocese, as well as for the principal towns. Each nomination must be signed, not only by the clergy, but also by the principal citizens. These several nominations were to be made with as much secrecy as possible. It was also provided that any gentleman, though not of the Committee, should have access to its meetings, and a right to deliver his opinion; but not to have a vote in any debate or resolution.

This scheme was adopted with a few alterations, and carried into effect in the metropolis. Dr. Curry was elected delegate for one of the city parishes, and the most respected men in the city for talents and character were returned for the other parishes. Owing to the vigilance of the Government it was, however, found impossible to put the scheme in operation in the urban and rural areas.

The penal statutes were directed in particular against the real property of the Catholics. Under the cruel and inhuman provisions of that barbarous jumble of legal enactments, the real and freehold estates of the remnant of the Catholic aristocracy and gentry melted away. The destructive Gavel Act; the refractory spirit of children; the iniquities of the courts of justice; all combined to effect

the aims of the legislature—the reduction of the Catholics to helplessness and beggary. Personal property, however, escaped in a great degree the malignant ingenuity of the first devisers of the Code. The acquisition of personal property became, therefore, a principal object of the Catholics.

The little trade that English jealousy allowed passed into their hands, and while the estates of the nobility and gentry were dissolving away under the operation of the Gavel Act, bills of discovery, and expensive lawsuits, a new order of men arose, enriched by commerce, incapable of being impoverished by the rebellion or conformity of their children to the established religion, or by legal chicanery.

On this wealthy and spirited class, the originators of the Catholic Committee mainly relied for success. Long habits of slavery had frozen the political courage of the gentry; apprehensive of fresh storms of persecution they deprecated all efforts for redress however temperate or loyal. The watchful jealousy of their oppressors might be aroused by any exertions on their part, and the activity of their fellow-slaves might produce convulsions, which would endanger the little property they had saved from repeated confiscations. Incapable of taking the initiative themselves, or even of approaching with ‘bated breath and whispering humbleness’ the oligarchy who ruled Ireland, their pride was wounded by the lead taken by the commercial class whom they despised, and they refused all concurrence in their measures. But nothing could damp the ardour, daunt the courage, or relax the energy of those on whom the Catholic leaders chiefly relied.

II

In 1772 the Catholic Committee was greatly strengthened by the accession of John Keogh—‘a host in himself.’ A successful and wealthy merchant, practically unknown outside the sphere of his activity, he soon became the heart and soul of the Committee, and its guiding influence during a memorable quarter of a century.

Possessed of a sound mind in a sound body, his education was practical rather than polished. A staunch though unobtrusive Catholic, gifted with rare common sense and true insight, combined with keen judgment and a firm grasp of realities, he conducted the business of the Catholic Committee with prudence and moderation. He turned the materials at his disposal to the best advantage, and with skill and foresight seized every favourable opportunity for the advancement of Catholic interests, and bursting the shackles that inhuman tyranny had imposed on Catholic Ireland. He was, in fact, a man eminently suited to the times, and implicitly trusted by his admiring fellow-countrymen. Under John Keogh's able leadership, Irish Catholics emerged from civil servitude to some measure of dignity as citizens and free men.

The minor Relief Bills of 1774, 1778 and 1782 were due in great part to the unostentatious but effective efforts of the Catholic Committee, under his wise direction.

Though [writes Lecky] they left the Catholics deprived of every vestige of political power, they had removed most of the grievances which were acutely felt. By taking the Oath of Allegiance, and subscribing to a declaration of loyalty, they could now obtain an assured legal position. Their religion could be freely practised. The restrictions and prohibitions that had prevented them from educating their children at home were, for the most part, repealed. All the more serious restrictions relating to property were removed. They could not, it is true, acquire by purchase absolute ownership of land, but they might take leases for 999 years. With this exception, their rights of purchasing, bequeathing, hiring, farming, and inheriting property were almost the same as those of Protestants, and a number of insulting, and for the most part obsolete provisions—such as those imposing on them, under certain circumstances, special taxation, enabling Protestants to seize their horses and forbidding them to live in particular towns—were swept away.

But they were still excluded by law from the whole legal profession, from the electorate, from Parliament, from the juries, from everything that gave any share of political or municipal power or dignity. And this exclusion existed when Ireland possessed a considerable and wealthy commercial Catholic class, and when the doctrine of the inalienable rights of all men to political power was rapidly extending.

When Dr. MacNeven, a brilliant Irishman educated abroad, joined the Committee in 1791, as delegate for Navan, he found extreme caution paralysing many and, in some

shape all of them, with the exception of John Keogh. Backed up by the eminent and patriotic delegate for Navan, who had imbibed the wine of freedom in other lands, Keogh was no longer alone.

On the arrival at this time of a new viceroy, Lord Kenmare, supported by the Catholic aristocracy, prepared an address which he laid before the Committee for their sanction. In the absence of Mr. Keogh, Dr. MacNeven exposed the cringing sycophancy of the sentiments displayed in the address. In an eloquent and racy speech, he characterized the proposal as unworthy of their honour, and calculated to injure Catholic interests. The required sanction was withheld, and Dr. MacNeven was warmly congratulated by his constituents of Navan for his manly stand against titled pusillanimity. The address was, however, subsequently presented at the Castle, signed by sixty-eight names—all that could be obtained.

As a consequence of Dr. MacNeven's action, the Earl of Kenmare and his followers seceded from the Committee. The secession was magnified by the trumpeters of the Ascendancy into the disruption of the Catholic body. The seceders were represented as the real Catholics, gentlemen of property and intelligence; while those who stood by the Committee were described as illiterate, a rabble of shopkeepers, and peasants of no account, unable to discern their true interests. The Catholics, however, were not deluded; they stood firmly by Keogh and the Committee, and denounced the base proceedings of the aristocracy and gentry as servile fawning on pride and power unworthy of true men. To dispel doubt and misrepresentation, the Committee drew up and published a statement of their case, which refuted the arrogant assumptions of their enemies, and exposed the baseness of their false friends.

In the first place [they declare] it is incumbent on us to reduce the whole mass of obloquy which has been heaped upon us into some kind of certainty, both in its substance and its application. We shall afterwards examine the grounds of it. For this purpose we are to premise that a division in the Catholic body has been artfully imagined, and strongly insisted on; of which one part is honoured with the appellation

of the real Catholics ; the men of birth, property, education, character, morals and understanding. The other part is represented as a base, unlettered, mechanical, poor and vulgar herd—the obscure clerks of the countinghouse, and the rude tillers of the soil, men incapable of comprehending the principles of society, or the ties of moral obligation.

It is true, indeed, that a division (if the defection of so small a number can be called a division) has taken place, and yet subsists. Two parties are seen amongst us ; one composed of those who signed the Address, for which Lord Kenmare has been declared unworthy of your confidence ; the other party consists of this Committee, and of all those who have come forward in various resolutions of approbation of this Committee, and of abhorrence of the imputations which Lord Kenmare's Address has obliquely cast upon us, but which many of the addressers themselves have since honourably disclaimed.

Of these two parties it is evident that the bright side of the picture above delineated is meant to apply to Lord Kenmare and his followers ; the dark and dismal colours relate to this Committee and its supporters. We are far from the mean and insolent vanity, so unbecoming a Christian, of taking pride in the accidents of birth, education, or wealth in whatever degree we might possess them. We do not despise the poor, nor him who bears the burthen of the common curse. Our actions will show that we are not willing to sacrifice for objects of ambition or avarice to ourselves and our children the importance, the protecting franchise of the man whose daily toil obtains from our Mother Earth the very bread we eat. When, therefore, it is asserted, that we are only the unlettered, poor, mechanical members of our persuasion, we deny only because it is not the fact.

We declare then, and we are warranted in declaring, that the names and characters of the persons who have figured in our company, and have signed resolutions in our favour, are of the first respectability in every class, and in every line which the law has left open to us. If we are to speak of their substance, to bring the estimate to the lowest possible calculation, we cannot compute the property of our supporters (to say nothing of ourselves or of those yet to sign), at less than ten millions sterling.

But it is said that the addressers are the Landed Interest. A landed interest is certainly respectable, and deserves much, but not the whole attention of the legislature ; that is to say, where it is united, and not in a state of unnatural separation from the mass of property. It so happens, however, that a much larger portion of that very landed property is with the Committee than with the followers of Lord Kenmare.

The Protestant Ascendancy, who wasted the vigour of the country by their inhuman penal statutes, and opposed all concessions to the Catholics, were denounced in scathing terms by Dr. MacNeven.

It was this Ascendancy [he declared] that, in the reigns of Elizabeth

and James, devastated the land of our fathers and, after establishing its den on a depopulated waste, surrounded it in a later age with the horrors of Stygian darkness; it was this Ascendancy that, breaking through the ties of nature and the obligations of eternal justice, established the slow tortures, the unchristian prohibitions, the unnatural, unmanly enormities of the Penal Code. It was this Ascendancy that annihilated the flourishing woollen manufacture, that abandoned Irish commerce and shipping, and despoiled the Catholics of the franchise—the shield against oppression.

Its opposition to justice had at length taught the people their resources. They must now come forward manfully with the long catalogue of their grievances and disabilities in one hand, the charter of liberty in the other, and arraign this monster which strides over a prostrate land and taunts the people with the clanking of their chains.

At a general meeting of the Catholics of Dublin in 1791, John Keogh ably refuted the slanders of bigotry and laboured to assuage the groundless fears of honest prejudice.

The Catholics [he said] had been called on to declare themselves, and either to avow or disclaim the principles which had been attributed to them. It was not, he was convinced, from a supposition that they entertained the wicked principles with which they were charged, but from a desire that their 'Declaration' might afford an opportunity of restoring them to those inalienable rights of citizens of which they had been unjustly deprived. He felt, indeed, how painful it must be to honest men to be reduced to the cruel necessity of disavowing that they are not villains by principle, that disloyalty, perjury and the wild justice of revenge are not prescribed by the religion they profess.

It had been the peculiar misfortune of the Catholics that the malice of their enemies had deprived them of the only means of refuting these charges, and of rescuing themselves from foul imputations by denying the credibility of their oaths. But the patience with which they had acquiesced in a total exclusion from the army, the navy, the revenue, the House of Commons, the House of Lords, the Bar, from juries and the right of suffrage; when the violation of an oath might at once invest them with every privilege that any subject in the kingdom could enjoy, would vindicate them from the malicious and false aspersion in the mind of every honest man. Could the Catholics of Ireland be charged with lightly regarding the solemnity of an oath when nine-tenths of them continued for nearly a century in the most deplorable state, deprived not only of all the honours and privileges, but of the comforts and necessaries of life—liable to be turned adrift from their cabins to seek shelter on the mountain-side, or to wander naked, homeless and hungry to make room for the Protestant freeholder? And all this was endured rather than violate their conscience by recreancy towards God.

Mr. Keogh then adverted to the grand objection made by the enemies of the Catholics against their emancipation,

that if they were admitted to the franchise, they would abuse that and every other privilege that might be granted, to subvert the present establishment of property, and to restore the forfeited estates and lands to the descendants of the old possessors.

This objection he refuted as being impossible to be executed ; and, even if possible, such as the Catholics were bound by interest to oppose. It was unthinkable that any such subversion of property should be attempted, because the descendants of the old proprietors were mostly sunk into obscurity—they were the porters on the quays, or the labourers in the fields, unable to read or write, or to trace a pedigree to prove their claims. It would, moreover, be impolitic for the Catholics to countenance such an attempt as a revolution of property, as many of them were now possessed by purchase of those forfeited lands, and derived their title only from the Act of Settlement.

Another objection to investing the Catholics with the Elective Franchise—the first privilege of every citizen, which constitutes the difference between freedom and slavery—was that they were for the most part ignorant and uneducated men. It was true, he acknowledged, that many of them were of that description ; but how could it be otherwise when they were deprived of every means by which instruction might be acquired ? Or how could those who were destitute of even the necessaries of life avail themselves of education without the means of paying for it ? Yet he would contend that, on the whole, the Catholics were as well informed as the Protestant forty-shilling holders. But, granting the allegation of their antagonists, it could have no weight against the right of the Catholics to the franchise, until it should have become a principle of their political philosophy, that it was knowledge, not manhood or men of property, that ought to be represented. If, therefore, the Elective Franchise is still to be denied them, it must be on the immoral principle that *Might is Right*—the negation of all social justice, which must lead inevitably to anarchy and chaos.

III

The strongest and most violent opposition to the just claims of the Catholics came, not from the Parliaments of England and Ireland, but from the Monopolists, who practically controlled the destinies of Ireland. Those influential despots, who regarded the public revenue as spoil, batted on the vitals of the country. To this monstrous abuse Mr. Keogh directed his attention, and declaimed against it in his usual trenchant and powerful public utterances.

In speaking of our oppressors [he declared] a distinction ought now to be made. They are not the general body of the Protestants. All that is eminent for virtue, talents, and public spirit among our Protestant fellow-countrymen are our defenders—the defenders of their country. See at their head the man chosen for no common purpose—the illustrious Mr. Grattan—sent to redeem a nation, to raise a grateful people. Look to the really Protestant part of Ireland—the North; see Belfast, the seat of patriotism. Can you not with pride claim those champions of liberty as your friends? Read the Declaration of the several societies of United Irishmen. Behold the Bar—resplendent with legal luminaries.—and then say are not all the true liberty-loving Protestants with us?

But, unfortunately [he continued], for years we have beheld the melancholy exhibition of the great Catholic Body of this nation misrepresented and abused; and if anything could aggravate this foul treatment it was to see it encouraged by those whose duty it was from their station to promote harmony and peace. It was easy to believe that many candid, unsuspecting Protestants have been influenced by the tirades from such quarters, who would otherwise have spurned the idea of acting as Under-Negro-Slave-Drivers to the Monopolists, and fomenting the ills of their unhappy Catholic fellow-countrymen. What is the present situation in Ireland? It is this: a few Monopolists find it their own private interest to keep over three millions of men in slavery, that the Catholics thus enslaved might be for ever mere hewers of wood and cutters of turf for their heartless taskmasters.

It is labour in vain to petition Parliament or Government overawed by those vultures—the Monopolists—with their shameless vested interests in corruption. In 1790 we prepared a Petition, so humble and modest as to ask for nothing in particular, but merely that our case should be taken into consideration. The Catholics with humble diffidence waited on the Government to beseech their protection and support. It was all in vain. We applied to have our Petition introduced into the House; but no Member of the Commons would bring it in; for three millions of Catholics were not represented there. The powers that be, in mortal dread of the Monopolists, were against us, and we were treated as of no account. Were we not restrained by unswerving loyalty to the Prince

of Peace, such contemptuous treatment must have precipitated tumults and disorders of every kind.

But the patience and perseverance of the Catholics were not yet exhausted. They made their final application to the Government for relief. They deputed twelve of their number to go to the Castle with a list of the Penal Statutes, and entreat the protection of the authorities to remove any of those enactments they themselves might think fit. The condescension of the Catholics could only be surpassed by the contempt of the Castle—they did not deign to give us even a polite refusal.

One experiment was yet untried. The Catholics undertook it; they deputed one of their number to go to London, and make the sufferings and treatment meted out to them by the despots known to His Majesty, through the medium of his Ministers. Your deputy returned with the knowledge that if the Irish Parliament would open to us the Law, Grand Juries, County Magistracies, and High Sheriffships, no opposition would be offered from England. We know that the Irish Government is appointed and dismissed at pleasure, and that the recommendation of the Prime Minister in England seldom fails. There are those who are convinced that if it had been the wish of His Majesty's Government to increase taxes, to continue the hearth-money on the poor, and to exact it even from those who have not the luxury of a chimney, and generally to oppress the weak—such orders would have found warm advocates here; but to relieve three millions of people was not to be borne by our heartless tyrants—the Monopolists.

In this state of oppression it seems to be a recommendation to favour to insult the Catholics; and the more wanton the insult and the more unprovoked, the more meritorious. What else could induce one impudent despot to say that our religion was fit only for knaves and fools! This modest Churchman attacks half Europe at a stroke, and shrinks not from the indictment of whole nations. They are all delinquents in the mass. But if the evil genius of bigotry and intolerance is to prevail, will His Majesty and the Parliament allow them to emigrate? Of the commercial wealth and industry of Ireland the Catholics possess no mean share. Suppose the Catholics, roused and encouraged by France, pouring into that country, with their wealth, their industry, their business ability, their manufactures, with money to carry them on—what a proud day for France! What a disgrace to the Empire to be deprived of such subjects in such an age; to support so unjust, corrupt and vicious a system of monopoly and oppression as we labour under at home.

But should such an event happen, we will not go alone. Those patriotic and liberal-minded Protestants who detest despotism—the noblest and best spirits in the land—will quit this region of slavery with us; and leave our common tyrants—the Monopolists—execrated by the King, and despised all over Europe, to rule as they may the country they have depopulated.

The banks of the river of Bordeaux were adorned with superb villas erected by their countrymen, who had retired from trade, who had vested their money in French securities, and enjoyed the fruits of their

industry in these elegant retreats. Philadelphia, a village at the commencement of the century, thanks to the enterprise of our exiled countrymen, had risen to the rank of a great city, and was little inferior to the Irish metropolis. How different in Ireland! Trade discouraged, property insecure, and poverty and emigration the necessary consequences. *Cui bono?* We pause for a reply?

The time was opportune for further efforts, and the Catholic Committee determined to take the tide at its flood. England, on the eve of a war with France, was anxious to secure the good-will of the Catholics, 'a voice from America had shouted liberty,' and the Presbyterians of the North were enthusiastic republicans, imbued with the French principles of liberty and equality.

The opposition to the just claims of the great majority of the nation was, however, formidable, and growing in intensity and bitterness. It was violently pronounced in the Orange Corporation of Dublin, which threatened armed resistance. That bigoted body put forth their famous definition of that Protestant ascendancy which their forefathers acquired and defended with their swords.

A Protestant King of Ireland; a Protestant Parliament; a Protestant Hierarchy; Protestant electors and Government; the benches of justice, the army, the navy, and the revenue, through all their branches and details, Protestant; and this system supported by a connexion with the Protestant realm of England.

A comprehensive definition, and intended by the worthy burghers of the Metropolis to be as unalterable as the law of the Medes and Persians, which changes not.

The firm resolve of the Catholic Committee, the heart and soul of Catholic action, not to rest from their arduous labours until the last remnants of the Penal Code were consigned to the scrap heap, alarmed the bigots and Monopolists.

In letter after letter [writes Lecky] Lord Westmorland (the Viceroy) assured the Ministers in England that any attempt to give the Catholics a share in political power must lead to anarchy, and would, probably, end in separation; that it was of the utmost importance that the fact that the English Ministers had ever entertained such a design should be concealed; that if they wished to carry it into effect they would be

unable to do so, for the whole Protestant and borough interest would resist it to the last. The chief members of the Irish Government seem to have been substantially united on this question; but the dominating influence was, probably, Chancellor Fitzgibbon, and the great Parliamentary interests of the Beresfords and Elys supported him. Some wished at all hazards to oppose every concession. Others reluctantly conceded to defer to the wishes of the English Ministers on some minor points, provided all share of political power was refused.

The result of the correspondence was that Pitt compelled the Irish Government to grant a further instalment of their natural rights to the long-suffering and sorely-oppressed people of Ireland.

The Relief Bill of 1792 threw open to the Catholics the lower branches of the legal profession, it permitted them to intermarry with Protestants, to have their children educated abroad, and to open schools at home without the permission of the Protestant Bishops. The laws restricting the number of apprentices a Catholic master-craftsman might employ were also repealed.

The slow but steady progress of Catholic Emancipation opened the flood-gates of scurrility and vituperation of which their enemies were past-masters. The Catholic Committee were vilified as obscure porter-drinkers, mere tradesmen without property or intelligence, accustomed to meet in holes and corners; who, though self-appointed, fancied themselves the representatives of the Catholic body. The seceders, led by the Earl of Kenmare, who wished to leave all initiative in the removal of Catholic disabilities to the Government, were highly exalted. Despised and disowned by the Committee and the country, they were declared by the hirelings of the Irish Government to be the real representatives of Catholic opinion.

The rejection of a Catholic petition praying for further relief, and its removal from the table of the House of Commons, at the instance of David Latouche—after a three-days' stormy debate—brought matters to a crisis. The Catholics, turning their back to College Green and its theatricals, sent a deputation to England to lay their case before the King.

Among the delegates was John Keogh, who was introduced to Edmund Burke. That great Irishman was well pleased with the interview, and declared that Keogh possessed all the parts that were likely to raise him in the world. Both Burke and Grattan rejoiced to see the delegates going in great state, making a splendid appearance, and gaining admission to the first Court in Europe. Keogh was highly delighted with his position; he looked very grand—he seemed to soar above all those he had left in Ireland. But when he returned home, he had too much good sense to retain his grandeur; he laid aside his court wig and his court manner, and only retained his Irish feelings.

The authority of the Catholic Committee to speak on behalf of the Catholic body having been repeatedly questioned, the Committee issued a proclamation calling a Convention of the Catholics of all Ireland. It was signed by their chairman, Edward Byrne, a wealthy and respectable merchant of the city of Dublin. Accordingly, a Convention, consisting of the representatives of all the counties, cities, and principal towns of the country, was convened in the city of Dublin in 1792, in the same room in Back Lane in which the Parliament of King James sat one hundred years before. The sentiments which animated that historic assembly—the genuine organ of Irish opinion—are described by a delegate :—

After a summer of busy preparation on the one side, and incessant hostility on the other, during which grand juries and corporations displayed their enmity against Catholic freedom; as if sectarian rancour, and selfish jealousy, and invidious dissension writhed in the last struggles of impending death; though the sky lowered and the horizon was clouded, undismayed at the portentous storm, conjured up by the enemies of their emancipation, the Catholic delegates assembled, notwithstanding, with the calm unconcern and sober dignity of men deliberately committed in the pursuit of a great and an indispensable object. Their constituents had set them an example of firmness. Amidst every appearance of danger, under the very cannon of intolerance, the elections were carried on throughout the country in an orderly manner—in less tumult than is exhibited in one hour in the most insignificant pot-walloping borough. This circumstance alone promised well to their hopes; for it confuted all those fears, real or imaginary, which discovered the hideousness of French

democracy in a noiseless compliance with a very peaceable plan. It was a scene truly consoling to the human mind, and no less extraordinary to a person accustomed to the debates of our public assemblies. It was not the angry contention of rival parties, predetermined to adhere to their respective opinions—it was a free and honest discussion, a competition of zeal to promote a common interest, in which investigation was succeeded by unanimity of sentiment. This was fully displayed in the resolute determination of asserting at once, in an enlightened period so propitious to their claims and deserts, all the rights and privileges of the Constitution of their country.

Never, perhaps, was any proposal more cordially received. The genius of freedom, descending on the assembly, seemed to communicate to every bosom its sacred inspirations. It was plain that to men animated by such sentiments, a half measure, or a fraction of freedom would never be satisfactory. The most temperate and the least ambitious, the friends of peace and good order, saw the agitation of the Catholic mind, and knew that equal liberty, the object of their anxious hopes and unwearyed efforts, could alone compose it. The friends of Ireland, who were desirous to cement a union of sentiment, by removing a diversity of interest, all concurred in one dignified, peaceful, conciliating and patriotic measure, the claim of unqualified emancipation.

But the claim would be useless, if to concede was not practicable. And here every man concurred in the demand, who saw how little cause Protestants had to refuse; possessed as they are of the property which returns Parliament; of all places and offices which confer influence; backed by the support of an opulent Church, and the predilection of a Protestant King; they beheld such a mass of strength as could neither be supplanted nor rivalled by the loose and inexperienced power of the emancipated Catholics.

The inflexible determination of the Catholics as voiced by the Convention, impressed the English Government.

Both Pitt and Dundas [writes Lecky] were convinced that the time had come when some real power must be granted to the Irish Catholics, and they had warned the Irish Government that if a civil war broke out merely on the question of Protestant monopoly, England would not support them. The great French war was on the eve of breaking out, and with all the signs of revolution multiplying around them, they believed further delay would be folly.

The subservient Irish Government were over-ruled in their violent opposition to the claims of the Catholics, and reluctantly yielded to Imperial necessities.

The provisions of the first great Catholic Relief Bill of 1793 are well summarized by the same historian:—

The elective franchise was given to the Catholics both in the counties

and the boroughs, and on the same terms as to the Protestants. Catholics were freely admitted to the grand and petty juries. They were to be allowed to endow colleges, universities, and schools and to receive degrees in Trinity College, Dublin. They were enabled to become magistrates, and to vote for magistrates in the corporations, to hold commissions in the army and navy. With some specified exceptions all civil offices were thrown open to them, and any remaining restrictions which imposed disabilities on them respecting personal property were to be abolished. The right to carry arms also was no longer dependent on creed. It was granted to all creeds alike, but subject to a property qualification.

This measure [he adds] was the largest and most liberal ever made to Irish Catholics, and considering the real transfer of power it involved, it was incomparably more important than the later measure of Emancipation.

IV

The recall of Lord Fitzwilliam, and the consequent disappointment of the hopes of the Catholics for complete emancipation, threw John Keogh and many of his associates into the arms of the United Irishmen. His usefulness to that society was, however, greatly impaired by an extreme dread of Government spies and informers. On one occasion he was called on to preside at a very important meeting of the Dublin leaders. Taking the chair he called for a list of the members who were to attend. After some time a gentleman, known to be a United Irishman, but whose name was not on the list, entered the room, and took part in the proceedings. Keogh became uneasy; he beckoned to a friend, and desired him to inquire why persons attended the meeting who had not been invited. He was informed that the gentleman was a staunch friend to the cause, and was above suspicion. Keogh was not satisfied. Another gentleman was brought in under similar circumstances. Keogh then whispered to a friend, 'Men's lives are not safe with people who would act in this manner'; and soon afterwards (begging to be excused on account of a pressing business engagement) left the room. He never afterwards attended a meeting of the society.

Notwithstanding all Mr. Keogh's natural prudence and caution, he was arrested in eventful '98, and charged with high treason. The gallant Tone was deeply grieved for his friend's sake.

‘Poor fellow [he exclaimed]! this is no time to write his panegyric. I have not got such a shock for a long time. If we lose him, I do not know where to look for a man to supply his place. I have differed from him at one time; but his services to Ireland have been eminent, indeed, more especially to the Catholics; and in all probability they will prove his undoing. Owing to his impaired health, confinement for any length of time in the unwholesome air of a prison will be to him death as certain as the guillotine. That infernal Government of Ireland! It is a long time they have been on the watch for his destruction, and I am sure they will stick at nothing to accomplish their end. I can scarcely promise myself ever again to see him; but I can sincerely say that one of the greatest pleasures which I anticipated in case of our success was the society of Mount Jerome, where I spent many happy days, and some of them serviceable to my country. It was there he and I used to frame our papers and manifestoes. It was there that we drew up the Petition and Vindication of the Catholics, which produced such powerful effects in Ireland and England.’

Before Wolfe Tone took his departure for America, with the resolution of opening communication with the French Government through the French Minister at Philadelphia, he had an interview with Keogh, Emmet, Russell, and MacCormick.

‘My friends, Keogh and MacCormick [he writes], who had interested themselves exceedingly in my behalf were, of course, among the foremost of my supporters. It was hardly necessary to men of their foresight to mention my plans, as they knew my intentions intimately. However, for greater security, I consulted them both. I received, as I expected, their most cordial approbation; and they both laid the most positive injunction on me to leave nothing unattempted to force my way to France, and lay our situation before the Government. They assured me at the same time that if I succeeded there was nothing in the power of my country to bestow to which I might not fairly pretend.’

John Keogh’s good fortune in passing unscathed through the ‘chamber of horrors’ which the Government had made of Ireland in ’98 was so exceptional, that it aroused the suspicion of his friends, and cast a passing shade on his fair fame. The best testimony to his genuine patriotism and solid work is the implicit confidence reposed in him by all those chivalrous leaders of real Irish opinion who loved Ireland if not wisely at least but too well.

In 1802 Robert Emmet dined at Keogh’s of Mount Jerome in the company of John Philpot Curran. The

conversation turned on the political state of Ireland, and the prospects of a renewal of the struggle for freedom and right. Emmet was enthusiastic, and entertained great hopes of success in case another effort should be made. Keogh inquired how many counties could be relied on in the attempt. Emmet replied that he reckoned on nineteen ; and addressing Curran, he said : ' Do you think an effort should be made with less ? ' Curran, after a momentary silence, said : ' No ; if two counties could be thoroughly relied on, I would think about it.'

Robert Emmet's visits to Mount Jerome became known to the Government through the agency of the legion of spies and informers which swarmed around the precincts of Dublin Castle. And one evening, shortly after Emmet's arrest, Keogh, knowing the risk he ran in befriending patriots, sifted his papers, and put aside those he intended to destroy. Mrs. Keogh remarked, ' Why not burn them ? ' Looking at the grate, which was unused and highly polished, her husband said, ' If they came here to examine my papers that is one of the first places they would scrutinize to see if anything had been lately burned there.' Just then a noise was heard at the gate ; the separated papers were put back in the desk, and in a few moments a well-known magistrate with his attendants appeared. The object of his visit was announced to Mr. Keogh. The magistrate had come for his papers. They were immediately delivered up to him, duly sealed, and receipt given for them.

Keogh adopted a bold course. Proceeding to the Castle he sought an interview with the Chief Secretary, who was not ' at home.' He returned later to the Secretary's Office, renewing his request for an interview, and expressing his readiness to give the fullest information about his papers. It was useless. He returned next day, and reiterated his request to have not only his papers, but himself examined. He was advised by a clerk to give himself no further trouble about a mere matter of form. On the next day, to his great surprise, his papers were returned with their seals unbroken. His prompt and sagacious action had saved him. There

were some documents among the bundle that would have gravely compromised him.

Meanwhile, there had appeared in Irish public life the man who, under Providence, was destined to lead Catholic Ireland to the crowning victory of complete emancipation. An Irish chieftain of ancient and illustrious lineage: a genius of the first order and a born leader of men; the mighty tribune whose clarion call rang out over the land, dispelling, as if by the stroke of the enchanter's wand, the age-long lethargy and gloom, and kindling such a flame of patriotic and religious ardour as eventually swept away the infamous Penal Code—the *Liberator* had come upon the scene.

'In 1810 [said O'Connell, talking to his secretary], the Corporation of Dublin met at the Royal Exchange to petition for the Repeal of the Union. John Keogh attended the meeting, and made a speech. I also spoke in support of the Repeal, and thenceforth do I date my lift to popularity. Keogh saw that I was destined to become a leader. He subsequently thought to impress me with his own policy respecting Catholic affairs. The course he recommended was a dignified silence; he urged that the Catholics should abstain altogether from agitation, and he laboured hard to bring me to adopt his views. But I saw that agitation was our only available weapon; I saw that by incessantly keeping our demands before the Government we must sooner or later succeed. Moreover, that period above all others was not one at which our legitimate weapon, agitation, could have been prudently allowed to rust. It was during the war, and when Napoleon—that splendid madman—made the Catholics of Ireland so essential to the military defence of the British empire; the time seemed peculiarly appropriate to press our claims.

'About the same time [continued O'Connell] a great Catholic meeting was held in Dublin. John Keogh was then old and infirm; but his presence was eagerly desired, and the meeting awaited his arrival with patient good humour. I and another were deputed to request his attendance. He accompanied us to the meeting, and proposed a resolution denouncing the continued agitation of the Catholic question at that time as inopportune. The resolution, proceeding as it did from an old-tried and trusted leader, was carried. I then rose and proposed a counter-resolution, pledging us all to incessant, unrelaxing agitation; and such were the pliable materials with which I had to deal, that my resolution was carried with enthusiastic acclamation. The audience never adverted to the fact that it ran directly counter to John Keogh's. Thenceforward, I may say, I was the leader.'

From this time John Keogh abstained altogether from

active participation in the movement for Catholic Emancipation, and O'Connell became its dominating influence.

Keogh's work was done. His character and intellect were eminently suited to the times and circumstances in which his lot was cast. The want of political education, and of the free circulation of thought through lack of means of communication and a public Press, debarred the Catholics from any opportunity of a great national movement. The influence of John Keogh was apparently local; but the result was felt all over Ireland. He achieved the first great triumph of the Catholic cause by a series of measures, none of which were distinguished by any peculiar brilliancy of effect; but so well linked together that it is impossible to refuse them the praise of consummate address. His cast of thought and colour of expression were singularly adapted to the object he had in view, and to the body with which he had to deal.

Henry Grattan, junior, writes:—

Keogh was the ablest man of the Catholic body. He had a powerful understanding; and few men amongst the Catholics were superior in intellect or even equal to him. His mind was strong, and his intellect clear; he possessed judgment and discretion, and had the art to unite men, and bring them forward on a hazardous enterprise at a critical moment. He did more for his Catholic fellow-countrymen than any other member of that persuasion.

To his exertions the meeting of the great Catholic Convention of 1792 was principally due, and the success of the Catholics in procuring the elective franchise. He had the merit of raising and bringing out the Catholic people. Before his time they were insignificant. Keogh wrote, published, and harangued. He kindled a new spirit in the people, whose courage and endurance were well-nigh exhausted by the refined cruelty and barbarity of the Penal Code.

John Keogh died at Mount Jerome, Dublin, on the 13th of November, 1817, at the age of 77, and was buried in St. Kevin's churchyard, under the stone erected to his father and mother, and where eight years later his wife was laid to rest.

PATRICK L. O'MADDEN.

PAPERS : WISE AND OTHERWISE

By 'PETRA'

IV—THE VIGILANTS

AN old author wrote, *Omne initium difficile est*, and this is true of clerical societies. Weakness of the members caused, for a time, retarded growth and faint-hearted clerics feared premature debility and death for our bantlings. However, Ambrosius, Athenagoras, Leguleius were faithful, constant and hopeful, and we survived.

Father Marcellinus protested that as our numbers increased we should meet in halls, in towns, and lunch in inns. Houses of clergy were hospitable, but too small for comfortable seeing, hearing, and eating; and adjournments to school-rooms and sitting in desks led to discomfort, and the lingering aromas of lately-departed pupils upset the calm of Saturn. A meeting in the school-room led Marcellinus to compose a paper, very long, but interesting, on the vigilants of Erin.

Let me introduce Marcellinus :—

His talk is like a stream which runs
With rapid change from rocks to roses.
It slipped from politics to puns,
It passed from Mahomet to Moses.
Beginning with the laws that keep
The planets in their radiant courses,
And ending with some precept deep
For dressing eels or shoeing horses.

It was realized always and ever in Church and State that good government, high standards, unity of action and success were attained by vigilance. Hence, we read of St. Paul's vigilance over his flocks, his visits, his letters, the reports of his officers on the lapses of the foolish Galatians, the correction of wayward followers, his words of encouragement. Our own St. Patrick travelled much in

our isle, tilling the soil for the Gospel seed, tending his convert crops, appointing his officers, his vigilants, North and South and East and West. And the old Roman Empire owed its success to its vigilants.

In the sister island, success comes from vigilance. And the wonder of the universe to-day is the huge number of State vigilants in England. They number 87,000. Cynical illogical people complain and criticize; but wise men know that without officers, trained, experienced loyal vigilants, there cannot be efficiency. Human nature is so weak that there is need of general examens, special examens, incidental visitations, if we are to have good work.

A great work in Ireland is the education of youth. Makers of dictionaries and raisers of Latin roots used to tell us that this growth 'education' sprang from the Latin root 'educere,' to draw out; but up-to-date rooters tell us that the root is 'educare,' meaning to till, to manure, to subsoil the powers of the soil. *Scinduntur theologi*. The work of subsoiling youthful minds is of great importance, and in Ireland has in days of yore and in this our age a history. The immense and fruitful labours of our National University thinkers have produced partial records of the labours and the labourers in educational fields; where these lofty spirits have illumined it were rash to light my little taper. But the work of the vigilants, the inspectors of the seed plots of the labourers in Irish education, should have a little record. I say 'little,' not that they deserve a small, mean commemoration; but because an essay—a hundred essays—could not do justice to a class, a body of Irishmen who have done great work, and who are not Ishmaels, with hands against every man and every man's hand against them.

Before the National Board came into existence Ireland had a trial of the Kildare Street Education Society, to which Government gave a large grant for the education of Ireland's poor. It began well, worked well for a while, and then alliance with English bigots corrupted the Dubliners. They became wholesale agents for the perversion of Catholic children. Found guilty by a Royal Commission of inquiry,

they lost funds and caste and status, and, in pious disgrace, sulked, sickened and died impenitent, after long illness, deeply regretted by a few, accursed by the nation. *Non omnis moriar*. Their works and ways and methods, modified and unmodified, lingered. To organize their system, to spread their schools, to build up standards, programmes, methods of teaching, the Kildare Street people started an inspectorate. Six of these Kildare Street vigilants were appointed in 1824, and they inspected 1,200 schools. Their names and fames are given in Dr. Kingsmill Moore's book : *An Unwritten Chapter of the History of Education*. There are given accounts of their enthusiasm, duties, reports, length of tours, etc. Amongst the goods and chattels bequeathed to the new Board were the fearsome and disastrous system and practices of Lancaster and Veevers, in matters educational. They were considered the acme, the ideal, the perfection of education, aims and methods. Well were they termed by Dr. Starkie the Burke and Hare of Irish education. And their spirits hover over us still.

In May, 1832, the new National Board, which meant the pious, glorious and immortal Carlisle, a Presbyterian minister, and a virulent bigot, and the oily Whately, a fierce anti-Papist, appointed four inspectors to be the vigilants from Fair Head in Antrim to Mizen Head in Cork. Four years later four more were added, and the country divided into thirty-eight districts. In 1846 four head inspectors were appointed, and those twelve apostles worked very hard in establishing schools, aiding teachers and managers, and were no mean pioneers of popular education. In time the staff was increased as schools grew in number—a chief of inspection, six head inspectors and sixty inspectors. The lot of none of them was happy ; their ways were not ever ways of pleasantness nor all their paths were peace. They had no experience, no ideals of aim, of methods, or practices of education. They were Ishmaels to many ; suspects to many ; regarded as tyrants, targets for criticism by writers to Tyrone House, by all Protestant parsons, squires, agents, and by a constant fusilade of abuse by

Parliament speeches and questions. The salaries were not plutocratic. Sub-inspectors began at £200 and ended at £250 salaries. Second-class men received £275 to £305. First-class men received £320 to £370. The Scotchman, Carlisle, cheesepared on car hire expense, excessive use of stationery, delays of a week in sending up returns, and reports and statistics, etc.

The first sets of inspectors were selected by the Board, and received their appointments without any examinations. They were selected out of 600 applicants. Six hundred applicants for twelve appointments must have meant a huge threshing—a huge winnowing by the Board. The stately rooms of Marlboro' Street must have contained tons of laudatory paper. For, surely, each one of the noble six hundred was fortified with glowing testimonials from clergy and laity, testifying to the unique talents, the splendidly-magnificent characters, their shining virtues, zeal, charity, joy, peace, patience, wisdom and understanding.

The first vigilants were not all Admirable Crichtons, not all saints, nor all scholars. *Qui multo vagantur raro sanctificantur*, wrote wise old à Kempis. The early morning startings and the late returns in the evenings left little time for prayer, for self-examination or for study. Conviviality and love led to lapses; and Messrs. Finn and Sheridan, O'Callaghan and Savage—all of whom had glowing testimonials of sanctity—became perverts and got promotion. Even scholarships suffered. A Board's minute—of course, its mandate and advices were never carried out—dated February, 1838, told the pioneers to 'be diligent and regular in their routine of business; but, also, diligent to qualify themselves better for overseeing masters to whom it is expected they should be superior in knowledge, and further, that they will hold themselves prepared to undergo examination from time to time that the Commissioners may judge of their advancement.' Work did not admit of leisure for study. And who was competent to examine them? The curriculum was immense. Who could study after a twenty-five mile morning drive along the

West coast—say, from Tralee to Crow Head—and a return journey on the same day. Nemesis was the lord in waiting, and after unfair criticism from the foes of popular education, the Lords held an inquiry in 1854 into the thoughts, words and actions of the National Board. Those wise men said that inspectors should be increased in number, so that three or four annual inspections would be held in each school, and that the Board ‘should carefully consider the qualifications of all existing inspectors with a view of removing such of them as are incompetent for the discharge of the very important duties necessarily confided to them,’ and, in 1857, acting on the evidence given at that inquiry by head inspectors—chiefly by Dr. Newell, who said that many of his colleagues, appointed with him in 1838 ‘had turned out badly’—the Board wrote to each inspector that head inspectors complained that a large number of district inspectors rendered little assistance to them in the oral examination of teachers, and the Board warned those delinquents to prepare well arranged and classified written questions on ‘a fair share’ of the subjects, otherwise silence, stammering, or unpreparedness ‘must justly tend to lower the position of the inspector, and to lessen his influence with the teachers.’

The thusly warned delinquents had been nearly twenty years in the dull, monotonous grind of the Whately mill. Probably, they were men of sixty years and over, overwrought, nerve-wrecked, bullied officers and Papists. New blood was infused. The Queen’s Colleges, the darlings of English souls, supplied some of the recuperative infusion. A Belfast graduate was reprimanded for his handwriting, and, breathe it not—his spelling! Not six of the whole body could examine orally and in writing on the full programme for first-class teachers. And no wonder; for the questions were weird.

Cartoonists of modern pencil tell us that men of a certain southern county are highly petitive in place seeking. But in the days of Whately and Carlisle and McDonnell and the Commissioners who had nephews and cousins and loyalists

to place, Ulster shone in number and in grit. To the credit of the old inspectorate be it said that it was a noble, painstaking, honourable body, although some of the Board's hand-picked fruit rotted quickly and highly. Some were slaves. One man in Roscommon and Leitrim reported that the parents there preferred mixed schools, and that their children pass by and desert the unmixed or purely Catholic pupil schools. Of course, Maynooth seminary weeds got planted out into the Marlboro' Street garden of genius. Here is the history of one such who was sent to examine the young Papists of Dublin. Expelled from Maynooth in Divinity course, became tutor, denounced Queen's Colleges, translated with a red-hot preface Abbé MacCarthy's French sermons, became ardent admirer of Queen's Colleges, National Board and its inspectors. Knowing the French language and its literature, vile and secular, he became a fast friend and visitor with the Resident Commissioner; partook of his best sherry and Scotch. The Mæccenas carved out a head inspector district for his Protean friend in the Dublin region. Nemesis was laughing, and the records of Paris were raked, and the hero was found to be well known to the Paris police, as one of the ringleaders who sacked the Archbishop's palace, and this scholar flung the chalices and missals from the windows to the mob. So a jailbird was a State vigilant, selected by the most august body in Ireland.

Then, another objected to schoolgirls wearing medals, and tore off the medals and the nuns' beads. Another, a Catholic, wrote that the *Christian Evidences* of Whately, his Scripture extracts, and his *Easy Lessons on the History of Religious Worship*, were highly popular, and the demand clamorous in Leitrim and Roscommon!

The majority of the inspectors were true and honest men, sincere in their work, and respectful for the religious view of others. They lived in a fierce light, open to hostile criticism from many sides. They were not slaves. Mr. Kavanagh out-manceuvred Whately, by excluding that divine's *Evidences of Christianity*, Scripture lessons, and sacred poetry from many schools. So when his Grace of

Dublin visited the model schools in Clonmel and found the little Papists of Clonmel deprived of *Christian Evidences*, he wept wrathful but, of course, pious tears. At the Lords' inquiry in 1854, he denounced Kavanagh and Father Kelleher of Clonmel as 'usurpers' of the Board's authority in excluding books by him—the author of *The Errors of Romanism*. Authors are so vain, and zealots so absurdly obtuse.

The Secretaries used to send round to the inspectors bundles of tracts for distribution. Bundles reached Mr. H. Clinche, inspector at Cashel. He refused (in 1844) to diffuse a lying tract, which said that but for the National Board 300,000 Irish children 'should have grown up as ignorant and brutish as the very beasts themselves.' Mr. Clinche knew that a State inquiry showed that in 1824, long before Whately's schools appeared, that 11,483 schools were existing in Ireland and training 403,774 pupils. A bundle of Whately's *Trade Unions and Strikes* and a further bundle of his *Disbelieving is Believing* were refused in 1845 and 1846. Clinche—whose father had been a classical master in young Maynooth—was a marked man. The Education Office was on his tracks, and Whately in the chair, the Board dismissed him, and no one said a word for the wounded and hounded warrior against Whatelyism and *The Errors of Romanism*. 'We are very desirous so to act as to ensure neutrality,' said Mr. Blake, Commissioner, in his evidence before the Education Inquiry Commission, and he added 'The Board would not make any selection of an inspector that was calculated to offend any body of Christians.' 'Suppose a professed Deist, and it came to the knowledge of the Board, would that be considered a disqualification for an inspector?' Mr. Blake replied negatively.

In a book, *The System of National Education*, by J. C. Colquhoun, M.P., a Scotchman pupil of Whately at Oxford, we see the inspectors under fire, and the Board, its teachers and managers, watched and reviled by a Gospel watcher, reviler, slanderer and liar. This book, published in 1838

at Cheltenham, by William Wright, in his 'Theological Library,' is unequalled in blind bigotry, and contains the replies of Mr. Carlisle, a champion bigot, but a faithful servant of his Board.

'Let us leave it at that,' said Saturn; 'the nights grow dark, and we must auto home.' Our next meeting is to be at Drumbarragh, and this paper may be concluded or Father Colick may read his script on 'Impudence.'

v

The end of our holy meetings seems to be attainable, and our cause beneficent to progress hugely. We—as all priests labour to do—know ourselves, and the moss and hay-seeds of rural life seem not so fertile as at our first meetings. We begin to know one another better, to learn some things and to discuss the themes and—oh, breathe not its name, let it rest in the shade, to criticize the theists! The young marvel at the folly of the aged, and the aged inquire the names and the postal addresses of the young, are charitably silent or full of admiration for the patience, the learning, and the speeds of their juniors.

Father Colick did not attend the next meeting of our Society and, hence, we had not his paper on 'Impudence.' We rejoiced and sorrowed. So, as a stop-gap, Marcellinus continued his paper on educational vigilance, and from it I give extracts.

The National Education scheme was devised to bring all Ireland to a knowledge of English letters, English thoughts, English methods, manners and customs, and to give fair play to all under that scheme. Ireland's language and history were to be unnamed and unknown to her children. She was to become in everything a little England. Lord Stanley, its founder, wrote in 1831, 'that while the interests of religion are not overlooked, *the most scrupulous* care should be taken not to interfere with the peculiar tenets of any description of Christian pupils.' And again, 'the system . . . from which should be banished even the suspicion of proselytism.'

Hence, for Ireland, a Catholic country, a country with a great past in learning, in religion, Commissioners were appointed, two of these were Englishmen, three were Protestants, two Presbyterians, and two Catholics. The non-Catholics were zealous for the perversion of Ireland. They plotted and intrigued, made wedges with thin edges and thick bases, hair-split and interpreted laws and rules—introduced Bible extracts, with notes and without notes ; lessons on their brands of Christianity, honoured and promoted the teachers and inspectors who favoured their pious frauds, and were met in tactics, strategy, warfare, latent and patent, by the vigilants for Catholic Ireland—the inspectors of National Schools, the teachers and the priests.

Mr. Colquhoun was a disappointed candidate for a Government position. So when he was ‘agin his Government’ he toured Ireland, and found her a wretched place, a Catholic country with Catholic churches, convents, holy wells, catechisms, Croagh Patrick and Lough Derg, and schools galore, where young Papists learned the faith of their fathers. They paid the full moneys of the whole education scheme, salaries for masters and vigilants, books and desks. But why cumber they the earth ? Colquhoun was enraged. Crossing over on the old sailing ship from England he was vaccinated with the poisonous words of an anti-Irish Irishman, a Mr. Price, a land agent. Whilst partaking of the waters of contradiction, as a comforter, a cardiac stimulant, a repeller of the chill sea-wind, and an oil to the tongue pivots, Price spun for the statesman a yarn, and the statesman wove a web of highly-coloured stuff. He discovered that the vigilants were purblind to the disloyalty and fraud of teachers, priests, nuns ; that the Board, of which his quondam and pluperfect master—Archbishop Whately—was chairman, was a fraud, delusion and a snare, and that really proselytism to Protestantism was not allowed, or at least was not wholesale !

Let us hear the tourist. His book is very rare, and I keep it under lock and key, fearing that some inspector or

historian of Ireland's educational system may burgle my cabin:—

Here is your plan. Your schools are to be built on ground independent of all places of worship, and secured by a deed to the public. On the outside is 'to be put up conspicuously' a flaming board inscribed 'National School.' On the inside is to be hung up 'conspicuously' with the 'General Lesson of Charity' inscribed on it (see Instructions to Inspectors, Appendix, p. 129). A third board is to contain the Ten Commandments; a fourth the days and hours of attendance. 'One week day, at least, is to be set apart for religious instruction.' Four days, at least, and four hours in each, are to be set apart for moral and literary education, and during the latter the strictest rule is laid down that no book inculcating or countenancing *peculiar views of religion is to be used*. To enforce these rules you employ eight inspectors, who are to ascertain whether the rules of the Board are strictly observed! What are 'the books used in the schools, and whether there is anything in the character of the school to give it the character of an exclusively Protestant or Roman Catholic institution' (Blake's evidence, 3461, 6).

These inspectors, these winged ganymedes [continues Mr. Colquhoun, M.P.] are to fly with your high behests, and to bring back the results of their Argus-eyed inspection. . . . They are to make their visits rare, and sudden stealing in upon schools without notice (Blake, 3465, and Instructions to Inspectors) each coming like a thief-catcher when he is not expected. Breaking in upon the school, the inspector is first to notice that the board hangs conspicuously outside; and then, making his bow to the schoolmaster (p. 129) he is to look around the walls, to see if the magical boards are hanging up inside; for there is, it should seem, a mysterious virtue in the Irish children sitting under the 'Lesson of Charity' and the 'Ten Commandments'. But if these boards are not to be found, these winged ganymedes are prepared for the emergency; for they are to carry under their arms bundles of papers which they are to drop on the gaping master, 'Copy of the General Lesson'; 'a copy (favoured mortal!) of the sheet containing the Ten Commandments.' . . . After the scrutiny of the walls, the inspector is to cast his eyes on the floor; he is to look hard at the children, to hear the boys read, and to see the girls knit; and then, waxing sterner as he proceeds, he is to walk up the schoolroom, and down it, backwards and forwards, diagonally and across, with measured step, and the eyes of a very lynx, looking upon the desks and under the benches, prying into the hearts—it may be into the pockets—of the children, to see if, perchance, a single wicked book, or a stray sectarian work, has found its way into the school. Then he is to report the result, and 'if it appears there is anything wrong' (Blake, 3466), the Board will come down with a clap of thunder upon the master. But how often is this terrific scrutiny to take place? *Once a year!* One day in the 365 days does the Argus-eyed inspector appear.

This detective work the good Scotsman knew to be

imperfect. Its rarity and the kindly nature of Irishmen made it inefficient and ineffective. Disloyalty and Popery were winked at, connived at, fostered by the Board. Price, the land agent, had told the tourist that in Erril National School—(some kind reader will please tell me in which county Erril lies ; it was a famous storm centre)—he and the parson found White, the teacher, setting disloyal headlines in a copybook. The headline was a most disloyal sentiment ! ‘ Here’s a health to the court of Rome and the Crown to its rightful heir.’ Frightful ! At Whately’s table Colquohoun met the blatant bigot, the Kerry pervert, Rev. Mortimer O’Sullivan, a bosom friend of Whately, and a foe to his tolerant treatment of National Schools. O’Sullivan told the tourist to avoid model schools, and seek to gain his information in places remote. White denied that he wrote the words. Price, on oath, denied that he stated that the disloyal words were set as a headline or used with the teacher’s knowledge. The local priest stated that the copy-book with the bad words were found, not in a school, but in a farmhouse, and the script was not the teacher’s.

But the case was to drag along. The inspector reported that the teacher was incompetent, and should be dismissed. The priest-manager pleaded that the man should be retained *for the present*. Westminster rang with the stories of Erril, Price, Colquohoun, and the Board. The Board said the teacher must vindicate his character. He did so, was brought to the training college, restored, and finally, for incompetence, dismissed.

Colquohoun, in his scholastic tour, found that out of 1,600 schools in existence or coming into existence, only 300 applications from Protestant managers were received. Popery was rampant in Ireland. In Leinster, Munster and Connaught, only seven schools had Protestant managers. Hence, he wrote, ‘ in five-sixths of your schools you encourage the priest to teach Popery to the children.’ The books he heard and saw roused the wrath of the Scot : *Reeve’s History*, *Butler’s Catechism*, *The Garden of the Soul*, *Glories of Mary*,

St. Francis de Sales' *Philothea*. And even in vacation he found nuns and masters teaching children to say 'Hail Mary, full of grace,' 'I confess to Almighty God,' 'Mother of Mercy,' 'Morning Star.' In satchels he found catechisms and beads, and raged at the Board and its vigilants—the inspectors—for allowing such things inside their school-houses. Parliament heard much such stuff from its Colquhouns.

Above was given the ease of Mr. H. Clinche. There was a hero of the vigilants of the Board, Mr. J. W. Kavanagh, whose name and fame should never be forgotten. He was sacrificed, like Clinche; but his sacrifice was not in vain. Seeing the havoc and the failure of the Kildare Street educators he, as many in Ireland, wished to test the National Board scheme for an educational system which, with some faults, would be free from all attempts at proselytism. In his test work, its success in numbers and achievement, he was amazed and pleased. The Irish teachers were wonderfully good, the priests made great exertions to find school-rooms, and the parents co-operated well. He strove to be fair to all, to see that rules and the spirit of the scheme were carried out faithfully. And he wrote and spoke in praise of the new system. He read a paper before the great British Association, and his Board, office and colleagues, were stricken with green-eyed jealousy. His labours had not drawn him to Ulster. And Ulster's working of the system astounded him. The open proselytism and favouritism in town and country, and in the workhouse schools, amazed and aroused him. He reported the abuses, and his reports were maimed or suppressed. He was a marked man.

The crass stupidity of the books supplied to teachers and pupils in the early days of the Board has formed the themes of humourists, satirists and critics. Kavanagh wrote an arithmetic. It was ever a sin in Ireland to write a book. But for an official of the Board to write a book in opposition to its wretched texts, to publish it with a Papist, and to boost it, was a sin crying to hell for vengeance. The Marlboro' Street hell blazed forth fire and reproof.

His sins were tabulated, sins of temerity, of criticism, of unduly restoring Mr. Thomas J. Little, of Keash N.S., Co. Sligo, depressed by a junior inspector, his sins of delay in answering letters, of delay in starting organization of schools—and the untabulated sins of destroying Whately's wiles, the bigotry of the Meath Stopfords, and the reports on the attempts at proselytism over the land—all were remembered, and on 5th February, 1858, the greatest and best of vigilants, Mr. J. W. Kavanagh, ceased, by order of the Board, to visit any of their schools. But he had established justice and fair play. His knowledge of office and Board and schools had been placed at the service of Archbishop Cullen, with splendid effect, and his book *The Catholic Case Stated*, is a noble monument of a fine character.

This paper by Marcelinus was received with much fidgeting. He had a poor voice, and read in lullaby tone. The discussion brought forth reminiscences of great and little vigilants of schools ; contrasts between old and new, criticisms of the numbers of school vigilants, sewing vigilants and music vigilants and medical vigilants, and even mild and tepid reflections on clerical vigilants, their entrances and exits, their stay in class-rooms, the absurdity and utility and duties of such vigilants.

‘PETRA.’

IS THE MASS INFALLIBLE IN ITS EFFECTS?

BY REV. DAVID BARRY

IN a former number of the I. E. RECORD¹ I discussed the question whether the effects of the Mass are of indefinite extent in their application to us. So at present it may not be out of place to consider how far their incidence is infallible; in other words, how far the person that a Mass is intended to benefit, invariably and as a matter of course, receives the favours of which it is so bountiful a store. And as the teaching about all of the effects is not the same, we can best arrive at the truth, or a fair approximation to it, by taking them *seriatim*; and examining what degree of certainty we can have that each will be realized in the case of a particular person; supposing, of course, that the priest validly directs his intention on his behalf.

Well, as regards *adoration* or *worship* of God and *thanksgiving* to Him, they are infallibly and unconditionally the outcome of every Mass; and showing them forth as a supremely acceptable offering in His sight is, accordingly, treasured up in merit for those associated with, or to any degree responsible for, the celebration of the holy sacrifice. And the reason of what I may call its automatic efficacy as regards these results, is that they are the primary objects of sacrifice; inasmuch as they would be always due from creatures to their Creator in any conceivable view of the relations between Him and them; and quite irrespective of the facts that the beneficent scheme of Divine Providence in our regard was marred by sin and evil, and that our various needs consequent on these were

¹ Fifth Series, Vol. xxxii., pp. 481, sqq. (November, 1928).

greatly increased. While, on the contrary, *propitiation*, *satisfaction* and, to some extent, *impetration*¹ are only in the present order, that is contingently on sin, the fruit of sacrifice. Because were it not for sin, there would be no question of propitiating God ; or of supplicating Him to give special helps—*medicinal* graces—to aid and strengthen our natural powers, depleted and hampered in their operation by it—which is a most important province of the prayer of petition.

Moreover, as the latreutical and Eucharistic effects have the glory of God directly and exclusively within their purview, there is no reason on our part why they would not invariably, and to their full extent, accrue to Him from every Mass. Whereas impetration, propitiation and satisfaction have reference to, and are conditioned by, the capacity or dispositions of those they are intended to benefit.

Now, we shall in the first place consider the circumstances in which impetration is infallible because, as will appear later, according to many propitiation in its essence is nothing but impetration ; though it is true, indeed, that some² look on propitiation as the more fundamentally important of the two. Well, the Mass in so far as it is impetratory is very closely analogous to an ordinary prayer of petition, and, accordingly, its efficacy is to a degree limited by the same conditions and confined to the same range of favours. Indeed, the authorities, or at least many of them such as Suarez and Archbishop Walsh, appear to limit its operation in respect of this effect to the fact that it sustains, supports, or enforces a prayer that is distinct from it ; and they do not allow that it has any impetratory power that is quite independent of this. Suarez says³ : —

Impetration is, properly speaking, the result of a petition, and of other good works only in as far as these are joined on to the petition, and done in the service of God . . . so that we thereby incline Him to grant us what we seek or wish ; however, this sacrifice is a great act

¹ Vermeersch, *Theologia Moralis*, iii. n. 281 (1923).

² Billot, *de Ecclesiae Sacramentis*, i., p. 585, note (ed. 1900).

³ *De Eucharistia*, disp. 79, sec. 2, nn. 5, 7.

of homage to God, and most acceptable to Him, and it can be attached to any petition or desire of obtaining any benefit from God. . . . No good work is of itself impetratory, unless in as far as it is joined on to a prayer.

The same authority says again¹:—

It [sacrifice] can always be offered in order that any just prayer be heard, and it will give to this efficiency and the power of impetration.

According to Dr. Walsh²:—

If performed in sustainment of a prayer of petition, they [works and acts] thus become indirectly efficacious for impetration.

And also³:—

The impetratory efficacy of the Mass is, as we have seen, its efficacy in aid of some prayer in connexion with which it is offered.⁴

However this may be, it is quite certain that the impetratory power of the holy sacrifice is subject in one sense to many, if not all, of the same limitations or disabilities as a merely human prayer. And this, which at first sight seems so anomalous, is discussed by the theologians in answer to the objection that, as its efficacy is derived from Christ, it ought to be invariably and unconditionally infallible; and whether He asks for the benefit in question Himself directly, or through His representative the Priest in the Mass. Whereas experience proves that the object to further which Mass has been offered, is sometimes not granted—whether this be temporal, or even spiritual, like a vocation or the immediate conversion of a sinner.⁵ The theologians⁶ meet this difficulty by explaining that the all-powerful advocacy⁷ of Christ can only be expected when a priest officiates in order to get something that is in accordance with Christ's intention. Just, they say, as the words of Our Lord: 'Amen, I say to you, if you ask

¹ *De Eucharistia*, disp. 79, sec. 6, n. 5.

² I. E. RECORD, December, 1882, p. 712, n. 17.

³ *Ibid.*, January, 1883, p. 15, n. 51.

⁴ Bellarmine's opinion is the same, *De Missa*, cap. 4.

⁵ Billuart, *de Eucharistia*, diss. viii., art. 3. Dico 3.

⁶ Lugo, *de Eucharistia*, disp. xix. n. 132.

⁷ Christ does not, of course, pray as if He lacked any power Himself, but merely by way of representing His wishes to the Father. Lugo, *ibid.*, n. 131.

the Father anything in My Name, He will grant it to you,' though apparently quite absolute and universal, must be understood to apply only when our requests are feasible and proper. And because they are often not such, to be instant and assiduous in prayer, does not always save us from disappointed expectations. Now, it is in a similar limited way that we are to understand the priest's intercessory and mediating power in the holy sacrifice.

This point may be further illustrated by supposing that some king sends an ambassador to the Pope with a general commission to solicit favours in his name. Well, the Pope may be satisfied, from certain information at his disposal through another source, that what the royal envoy is looking for in a particular instance, is not at all according to the mind or wish of his master; and for that very reason he refuses it. This is the explanation of how it is that a priest sometimes, though he asks for a favour in the Name of Christ, and through the Mass, is by His authority debarred from getting it. For it would not be wise or expedient to give an unlimited call, as it were, on the Divine treasury to human creatures. Because, partly through being blinded by error, and partly through being swayed by unregulated affection, they often ask in the Name of Christ what would be repugnant to Divine Wisdom and the order and arrangements of Providence to grant.

What, then, in detail we may hope to get infallibly from the Mass as a prayer, or rather as enforcing one, and what we may not hope for, can be pretty well ascertained by bearing in mind the limitations imposed, from the nature of the case, on the efficiency of prayers in general.¹ Provided, though, we always vividly realize that, when these requirements are fulfilled, it is no longer we ourselves who are praying, but that Our Lord Himself has the principal part in preferring our request. Some of the conditions in question have reference to the *manner* or *method* of prayer, and others to the *object* we must have in view.

The former of these are chiefly: that prayer ought to

¹ Lugo, *ibid.*, n. 143.

be made (a) with a lowly opinion of ourselves, and with faith and confidence in Christ's power and promises; (b) with perseverance; (c) and by a person that, if he be not already in the state of grace, has elicited some inchoate act of repentance or conversion to God. Certain authors, like Prümmer,¹ relying on a wealth of Scriptural texts, positively insist that the state of grace is necessary in the person offering the petition as a condition of its being infallibly granted. However, Suarez does not postulate so much, nor Lehmkuhl, nor Vermeersch.² Suarez says it is certainly true that this cannot be laid down without qualification as necessary for the efficacy of prayer. And Lehmkuhl,³ referring to St. Thomas, holds that it is clearly in harmony with the truth that a sinner, provided he asks it properly, can certainly and infallibly obtain the grace of repentance. While the Angelic doctor himself⁴ says that if the Mass finds sinners disposed, it obtains their conversion for them.

That the beginning of a change of heart, though, however tepid, is required, appears manifest from the fact that otherwise we are rebels against God, and should, if we are not mere hypocrites, desire, in preference to everything else, that the Mass we are getting offered may be the medium of making our peace with Him. The importance of this condition is enforced over and over again in Scripture: 'The eyes of the Lord are upon the just: and His ears unto their prayers.' 'If you abide in Me, and My words abide in you, you shall ask whatever you will, and it shall be done unto you.' 'If our heart do not reprehend us we have confidence towards God: and whatsoever we shall ask, we shall receive of Him.' And at least some feeble and faltering approach, and some lifting up of heart—which itself, of course, must come from God—to the throne of mercy is, as we shall see, required by the Council of Trent as a condition for obtaining even the vital grace of justification.

¹ *Manuale Theologiae Moralis*, ii., n. 353 (1923).

² *Op. cit.*, ii., n. 184.

³ *Theologia Moralis*, i., n. 479 (11th ed.).

⁴ *Apud* Billot, *op. cit.*, p. 587.

Now though, as I have said already, the person in whose interest or rather in support of whose request the priest offers Mass, is not by any means dispensed from complying with these conditions, if he wishes to have his prayer certainly effectual, still, it is clearly much easier to fulfil them in connection with the holy sacrifice than outside it. Thus we can more readily summon up the requisite *confidence*, if our petition is directly and immediately supported by the influence of Christ, than if we stood before God with our wretchedness and sinfulness barely hidden, as it were, by the shadow of the Cross. Similarly, so far as *perseverance* goes, it is reasonable enough to believe that a lesser degree of it will be needed, and that our requests will be more quickly granted, if we have not only the general merits of Christ to recommend them, but a special portion of these allocated to us in the Mass. However, even on this supposition, a certain amount of persistence may be necessary, and perhaps, the offering of more than one Mass, especially if the theory of its limited efficacy is true.

Moreover, in order that prayer either in or outside of Mass may be infallible, certain limitations on the part of the *object* or *benefit* that is sought must be postulated. In the first place it is supposed that the granting of this is within the operation of God's ordinary Providence, and does not require the exercise of miraculous power. Thus, no one would with complete confidence expect that a simple prayer—even though otherwise vested with the proper conditions—or the Mass itself, would obtain the cure of a person in the last extremity from some disease. Just as no one would expect this of the Sacrament of Extreme Unction, though the patient's physical recovery, if his complaint has not progressed too far, is one of its objects.

Again, in the spiritual order an effect that would be over and above the established economy of grace may not be hoped for with unfailling trust. That is to say, e.g., that though God could, of course, give a grace that would be infallibly efficacious for any sinner's conversion, still this

is clearly not the certain result of a Mass or Masses that may be said on his behalf.¹ It is true that such a person will obtain through the impetratory power which we are considering not only grace of a sufficient degree of potency, but one very highly calculated to produce its effect by winning his assent and co-operation. But we have no warrant for thinking that it will be so miraculously congruous as to break down every barrier that passion and self-will may set up. Moreover, it would be almost expecting a miracle to anticipate that grace for such a purpose, unlike, say, that for resisting the onset of a temptation—would be given at a *particular time*,² for instance, the moment the holy sacrifice has been completed. Consequently, a Mass—or Masses—will get without fail on behalf of the sinner for whose conversion it has been offered grace in God's good time, and with a degree of efficacy attached to it, that will make correspondence with it not indeed inevitable, but easy.

The necessity of such co-operation partly explains why St. Thomas is so reluctant to allow that impetration will never fail of its results when we are praying not for *ourselves* but for *others*; inasmuch as we cannot answer for their doing their own part to secure the favour we wish to obtain for them, whether this be of a spiritual or temporal character.

To pray for oneself is a necessary condition, not, indeed, in as far as it is required for merit, but in order that what is asked should be obtained with certainty. For it sometimes happens that a prayer said for another fails of its effects although it is offered with devotion and perseverance, and for what is conducive to his salvation, because of some impediment on his part according to the words 'If Moses and Samuel shall stand before me, my mind is not towards this people.' Nevertheless [the Saint goes on] such a prayer is a source of merit to the author of it, because he is actuated by charity, and has Scripture warrant: 'My prayer shall be turned into my bosom'; that is to say, though it does not help others I shall not lose my reward.³

However, influenced no doubt by the strength of such

¹ See Billot, loc. cit., p. 594.

² Bellarmine, op. cit. cap. v. at end.

³ *Summa Theologica*, 2a, 2ae, qu. 83, art. 7 ad 2.

texts as : ' Pray for one another that you may be saved. For the continual prayer of a just man availeth much,' Suarez¹ and others hold that suffrages for the salvation even of our neighbour are within due limits infallible. And it goes without saying that assurance on this point is much greater if such a petition be presented to God through the instrumentality of the Mass, and so perhaps supported by the prayer of Christ Himself. Of course, no one believing in the Communion of Saints would deny that supplication for another, whether or not it be infallible, is often effective on his behalf.

Apropos of the reference to what is helpful for salvation, in the extract I have just given from St. Thomas, it may be opportune to consider how far temporal advantages come properly within the scope of prayer, either in the holy sacrifice or independently of it. Now, it is clear that when, as is often the case, these would be a positive obstacle in the way of salvation, they will not be granted to us as the fruit of our petitions. Indeed, they may not be expected with the highest degree of confidence unless—a matter of which we can very rarely be sure—they are of actual assistance to us in a spiritual way. How far this condition is necessary to render asking for them barely lawful, is to some extent a matter of controversy between Vasquez and Lugo.² Vasquez says that though it is plain enough from the prayers of the Missal that these, *e.g.*, good health, rain, fine weather, etc., can lawfully be sought, this may only be in so far as they are the medium of spiritual benefits ; because Christ did not die to provide temporal things for us that have no bearing on spiritual issues. Lugo, however, believes that even though a person looking for such an advantage does not do so with a view to bettering his spiritual condition, he still might obtain it through the agency of the holy sacrifice, seeing that it may be of itself useful in order to allure men to Christ's service.

It is the general opinion of theologians, if for some reason Divine Providence does not give us the favour we

¹ *De Relig.*, tr. 4, l. 1, c. 27.

² *Loc. cit.*, n. 157.

want, that our prayers, if clothed with the proper attributes—and the Mass especially—will not be barren of effect, but will bring something that is in reality more advantageous for us. Of how little use what we ask would be sometimes, anyone can readily appreciate who realizes the feeble and short-sighted intelligence that too often guides our requests. Noldin¹ says :—

Although the special benefits that are sought may not be conceded, particularly if they are in the temporal order, nevertheless, there is always, in virtue of the sacrifice that has been offered, some other advantage given in their stead, unless there is an obstacle to it.

And according to Lehmkuhl² :—

It may happen that the priest, as representative of Christ, is mistaken in believing that certain things he asks of God are desired by Our Lord, when, as a fact, His prayer and impetration have no reference to them, but are diverted to secure other benefits for us—those, namely, which are such in reality and not merely in our estimation.

Vermeersch³ holds that :—

Although a prayer which is wanting in any of the requisite conditions cannot claim to be heard in virtue of the Divine promises, still it is not useless, since the goodness of God imparts to it some intercessory value.

I think, though, that Lugo is not so emphatic in expressing this view as the authors I have just quoted, for he merely says⁴ that God *often* gives in virtue of the Mass something more useful to the suppliant than would be the boon desired by him but denied to him.

I may sum up on the subject of the infallible *impetration* of the Mass by saying that graces of themselves sufficient—if properly utilized—for the remission both of mortal and venial sin, sufficient for the increase of habitual grace and for perseverance are conferred, without risk of failure or mischance, on those who make their prayers in union with the sacrificial one of Christ. Because, seeing that God, if properly approached, would not deny these in any case, He is particularly pleased to grant them in virtue of the

¹ *De Sacramentis*, n. 174, b. (1904 ed.).

² *Op. cit.*, ii. n. 235.

³ *Op. cit.*, ii., n. 184, 4.

⁴ *Loc. cit.*, n. 156, at end.

Mass in which the Passion of His Divine Son is represented. But the *actual* remission of sin, the increase of grace and the gift of perseverance, are not infallibly the fruit of impetration; inasmuch as the helps given for these purposes may be frustrated through lack of our co-operation. Neither is any improvement in our temporal affairs or prospects an unfailing result of the offering of a Mass or Masses, because this is not always conducive to our spiritual welfare.¹

Now, as regards *propitiation*, the Council of Trent² teaches that the sacrifice of the Mass:—

Is truly propitiatory, and that through it, if being contrite and penitent, we draw near to God with an honest heart and true faith and with fear and reverence, we shall obtain mercy and find grace through the medium of seasonable aid. Because God, having been placated by this sacrifice, grants us grace and the gift of penance, and forgives even grievous crimes and sins. . . . Wherefore it can be offered according to Apostolic tradition not only for the sins, punishments and satisfactions³ of the faithful while they are alive, but for those who have died in Christ and are not yet fully purified.

From the tenor of this decree it is plain that the Mass does not at all directly and *ex opere operato*, after the manner of a Sacrament, remit sins either mortal or venial, even if attrition be entertained for them. Because it appears from the words of the Council to the effect that ‘we shall find grace through the medium of seasonable help,’ that the forgiveness in question is to be reached through the channel of *actual* grace.

However, I believe that some theologians, as Suarez and Vasquez⁴ make a mistake in going to the opposite extreme, and limiting the efficacy of the Mass towards justification to the actual graces it gets for us *by way of* *impetration*. To explain in this view of theirs the singling out of *propitiation* as a distinct fruit or class of fruits, it is not open to them, in face of the teaching of the Fathers of Trent that I have quoted, to limit this effect to the abolishing or abating of the temporal punishment due to

¹ Billuart, loc. cit., Dico 4°.

² Sess. 22, cap. 2.

³ Cf. can. 3.

⁴ Apud Lugo, loc. cit., n. 140.

sin, or the prevention of other chastisements which we deserve for it. But they can contend that impetration for graces with a view to our reconciliation with God is rightly put into a category by itself—propitiation—inasmuch as it is more necessary for us than anything else, and is more likely to obtain its effect infallibly, as not being subject to all the conditions with which other petitions must be invested, be these of a spiritual or temporal nature.

It seems much better, however, and more in harmony with the decree I have quoted to hold that God is in some degree placated even *before* He gives the graces suitable for conversion. This is a fair deduction from the words: ‘God having been placated by this sacrifice, grants us the grace and the gift of penance,’ etc. So that the giving of the grace of conversion, which Suarez and Vasquez hold to be the same as propitiation, in reality merely follows from this, and is, in fact, the result of it. How far then, it may be asked, is God made *propitious* or gracious towards the sinner by the Mass, seeing that he is as yet unconverted, and that God, consequently, instead of being at peace with him, or regarding him with favour, cannot but look on him as an enemy?

Well, the effect of this propitiation is simply to move Almighty God to set free for his reformation certain abundant helps that He would not otherwise give. It is true, indeed, that by means of an ordinary prayer aid may be obtained that would be certainly sufficient, though, perhaps, not effectual for one’s conversion. But the justice of God, were it not for the placatory power of the Mass, would, as it were, hold up in punishment of sin more copious or additional helps in this direction. So propitiation induces God to forego His right to punish us by withholding these. Accordingly, Mass offered for a sinner helps to secure these special, and it may be vital, aids in *two* ways: in a negative manner by arresting the just anger of God which keeps them back; and in a positive way, through impetration, by supplicating Him to grant them.

It is true—and very probably because the effects of the

Mass are limited—that it may require more than one to secure that the graces held back by retributive justice be restored in full measure. And the propitiatory value of each can in this hypothesis be explained by holding¹ that it *in part* placates God ; or else that it is a channel to the sinner of a portion of the graces withheld, which are made available in the aggregate by all the Masses. The forgiveness of sins is so necessary and so closely associated with the holy sacrifice both in Scripture and in the authoritative pronouncements of the Church, that its efficacy in this respect must certainly be looked on as normally quite infallible. And the only point on which there is room for difference of opinion among Catholics is as to whether this effect must ever and always be realized to some extent, if I may say so, mechanically almost ; or whether an obstacle on the part of a sinner may cause its total frustration.

Now, judging by the decree that I gave previously, it would appear that a certain degree of obduracy or obstinate adherence to sin² would be such a complete hindrance, not only to the successful operation of grace in the soul, but even to the mitigation of God's just resentment. Because the Council seems to insist with a view to the sinner's gaining this fruit, not only that he should cherish no affection for mortal sin, but that his will should be detached from it, and that he should have some measure of sorrow for it. This is certainly not too rigid an interpretation to put on the doctrine that the Mass is propitiatory for those who fulfil certain conditions, among which is that they be 'contrite and penitent.' As Lugo says, it seems to be in vain for a person to wish to placate God whose heart is doggedly wedded to sin, or who has no sorrow for it.³

According to Lehmkuhl⁴ a certain amount of propitiation

¹ Lugo, loc. cit., n. 144.

² Ibid. n. 146.

³ Suarez, however, seems to reject this view. I. E. RECORD, January, 1883, p. 20, n. 71.

⁴ Vol. ii. n. 237, 3. Cf. n. 248, 5.

is demanded of us, not only on account of our unforgiven sins, but because of the temporal punishment which attaches to them, and which may, of course, remain unremitted when they are pardoned. He does not mean merely that *satisfaction* is necessary in such a case; he is referring to propitiation in the strict sense, and believes that for want of it even sin that has been forgiven may be a bar to grace for the living, and to the alleviation of their pains in the case of the dead.

This brings me to say a few words as to whether the *satisfactory*¹ effect of the Mass is certain and unfailing. And no doubt can be entertained of its infallible efficiency in this respect at least in the case of the living, provided the conditions for its operation are realized. And one would think that the Council of Trent made this equally clear as regards the dead, particularly in the decree on Purgatory, where they are said to be helped in a very special way by the 'acceptable sacrifice of the Altar.'²

Consequently, provided the intended recipient is in the state of grace,³ and has a debt of punishment incurred by a sin already pardoned, some at least of this punishment will infallibly be done away with. *All* of it may possibly not be blotted out; partly because an individual Mass, being limited in its effect, may not be sufficient for this; and perhaps, because God, having cause to harbour a certain degree of displeasure towards the beneficiary, may not give him the full advantage of it. Accordingly, the propitiatory fruit of a Mass may be necessary, and may not even be enough to allow its satisfactory effect to have full and

¹ See extract from the Council of Trent above, and also Canon 3 of the same 22nd Session.

² However, according to Lehmkuhl (op. cit., n. 248, note), Suarez considers the teaching as to the infallible efficacy of the Mass for the benefit of *any particular soul in Purgatory*—as distinct, I suppose, from the souls there *taken in general*—to be merely more probable. The character of its efficacy for the unbaptized souls there is quite open to question. See Code, Canon 809, and Cohalan, *de Eucharistia*, pp. 498 and 507.

³ If he is not in the state of grace when the Mass is offered, this effect will not be made available for him later on when he has made his peace with God. Scotus denied the necessity of this condition in order that one be released from the punishment of mortal sins already forgiven. Cohalan, op. cit., p. 497.

free play in the soul. And this is also true even of the faithful in Purgatory who are God's inalienable friends. For there is no doubt from the practice of the Church that a single Mass will not of necessity open the gates of Heaven to any one of them. Now, the theologians do not attribute this exclusively to the fact that the Mass is restricted in its beneficent fruits: that a soul is allowed to share only partially in these is held by many,¹ and is set down by them, to the fact, *e.g.*, that it was careless about the Mass during life, or perhaps, about the fate of the suffering souls. As St. Augustine says, the Mass helps those who while they were alive did something to deserve that it should be made available for them afterwards.

An interesting question, and a very debatable one, is whether the Mass, not only as satisfactory but as impetratory, may gain for us remission of temporal punishment, in addition to the boundless range of other spiritual favours which it is incomparably the most efficacious means of placing at our disposal. Suarez in a very mild way, and Lugo² and Cohalan³ favour the positive side. They hold, accordingly, as do all authorities, that the Mass immediately and infallibly remits more or less temporal punishment—its purely satisfactory effect. They hold also, of course, what is unquestionable, that we can impetrate through the Mass grace to perform works having a *satisfactory* value for ourselves or others—a method that is rather indirect. While they believe *in addition* that the impetratory effect may be directly—though not infallibly—concentrated on the forgiveness of temporal punishment, whether for the living or the dead. Lehmkuhl,⁴ however, characterizes this opinion as very doubtful, and Vermeersch⁵ is not any more enthusiastic in its favour. But if it were true, it would exemplify an advantage—though a comparatively small

¹ See Billot, *op. cit.*, p. 600; and Vermeersch, iii., n. 284, and n. 314, 3.

² *Loc. cit.*, n. 158.

³ *Loc. cit.*, p. 501.

⁴ *Loc. cit.*, n. 247, 3.

⁵ *Loc. cit.*, n. 312.

one—of devotion to the Mass that we ought not to lose sight of. This, namely, how beautifully the Divine Wisdom has arranged that its various fruits should facilitate the operation of one another on our behalf : just as we saw already that a certain measure of propitiation may be required in order that God would heed or honour its impetratory¹ or satisfactory powers.

If the holy sacrifice is not in every respect infallible in its effects, still, it can never happen that a person who assists at it with a fair amount of good-will, or who has it offered in such a spirit, will not bear away in a greater or less degree, or through one effect or another, precious blessings from this ‘open fountain’² of grace and salvation.

DAVID BARRY.

¹ See Franzolin, *de Eucharistia*, p. 376.

² Zacharias xiii. 1.

CORRESPONDENCE

'THE ORIGIN OF THE ROSARY'

REV. DEAR SIR,—It is now time to put before the readers of your esteemed periodical, what remains to be quoted from the Turin MS. relative to the restoration in 1475 by Father James Sprenger and the approbation in 1476 by the Legate Alessandro di Malatesta, of the Rosary Confraternity in Cologne. The first part of Sprenger's description of the event was given in the number of the I. E. RECORD for December, 1928. Readers must have noticed then that in what appears to be an Italian translation in the Turin MS. of Sprenger's words, archaic spellings and contracted forms are numerous. Others occurring in this part, if it has been considered necessary, are respectively either explained or expanded here.

Io frate Jacobo Sprengieri doctore de la sacra theologia e priore del convento de Colonia de la provincia de Alamania de lordine de frati predicatori, etc.; hazo (ho) ordinato che sia una fraternitade per tuta (tutta) la Christianitade nelaquale (nella quale) possa (possano) intrare tute le persone ecclesiastice e seculari richi e poveri homini e done, etc.; la quale fraternitade lo zorno (giorno) et anno sopraditto, el Reverendissimo padre meser (messer) Alessandro episcopo forliviensi legato de latere per tuta le Alamania cum plena auctoritate aplica (apostolica) davanti al serenissimo Imperatore Federico tercio semper augusto e molti Archiepiscopi, Episcopi, Abbati, principi e gentilhomini e populo Coloniense ne laziesa (nella chiesa) de frati predicatori aprobo confirmo e ratifico cum auctoritate apostolica, come hè (è) manifesto per una bulla la qual se ha nel preditto convento de Colonia.

The Bull referred to, apparently, is the first of the two issued by the Legate, on 10th March, 1476. More than once in these pages mention has been made of it. The implication of the words, *praetactam Fraternitatem auctoritate apostolica nobis specialiter concessa approbanus, confirmamus, et ratificamus*, which it contains, may be that after his first approval of the Confraternity, on 8th September, 1475, the Legate had applied for special faculties, and had got them from the Pope. At any rate, a similar clause is not found in the Bulls about Rosary Confraternities existing elsewhere that were issued by three other Cardinal Legates: Luke, Bishop of Sebenico; François de Clermont, Archbishop of Auch; and Egidio di Viterbo. And it may very well be on the other hand that the words *Cum itaque, sicut accepimus, in ecclesia domus Ordinis Fratrum Praedicatorum Coloniensis, quaedam Confraternitas, etc.*, used by Sixtus IV in his Bull, dated 30th May, 1478, indicate that Alexander was his informant or one of his informants. At any rate the

Bull *Pastoris Aeterni* of Leo X expressly states that Alexander, when he had approved the Confraternity, informed the Pope about its restoration.

The Turin MS. ends with the following passage which shows that it was written not before 1484, because in that year the church of San Domenico in Mantua was built.

Questa fraternitate del psalterio o sia rosario de la gloriosa verzene Maria advocata di peccatori sie ancora in sancto Dominico a Mantua. A mazor (maggiore) confirmacione de la preditta scolla (seuola?), El Reverendissimo Messer Francescho de Gonzaga Cardinal e Veseovo de Ma(n)thoa legato apostolico ha concesso cento zorni di indulgenza ogni volta a chi dira el soprascripto psalterio o sia rosario de la Madona. Amen.

This Cardinal Gonzaga was Bishop of Mantua from 1466 to 1483. (See the article on the MS. by Professor E. Ferrero, in *Atti della R. Accademia delle Scienze di Torino*, Vol. xv., 1879, 1880.)

The testimony to the important part taken by Sprenger in the restoration of the Rosary that will be quoted next possesses special interest. It is the one incidentally given by his friend, Felix Fabri (*von Schmidt*), O.P. (1441-1502). This writer is well known by students of the historical topography of Palestine to be the greatest of all the fifteenth-century authorities on the subject. His first pilgrimage (1480) he described in German, his second (1484) in Latin. The latter narrative was printed for the first time in 1843, at Stuttgart, under the title 'Fr. Felicis Fabri *Evagatorium in Terrae Sanctae Arabiae et Aegypti peregrinationem*.' Its English translation fills Vols. vii.-x. in the series of the Palestine Pilgrim Text Society.

While describing his own pilgrimage to the site of St. Elizabeth's house, which he locates, not at Ain Karem, but near Beth Sur, which lies south of Jerusalem, the association of ideas between the visitation of the Blessed Virgin and the second joyful mystery leads Fabri gradually on to speak about the Rosary, and about Sprenger. Thus, in the translation, on page 632, of Vol. viii., we see: 'The place where Elizabeth was greeted by the Blessed Virgin' as the heading of the chapter which treats of Beth Sur and of the *Magnificat*, etc., and on page 634 he begins to speak about the Rosary. His words on this subject are so valuable that they must be given in the original.

Denique nostris temporibus innovata est antiqua Sanctorum consuetudo, qui solebant eum quinque Pater noster Deum orare, et cum quinquaginta Ave Maria beatissimam Mariam Virginem salutare frequentius in gratiarum actionem pro operibus redemptionis nostrae. Hanc salubrem consuetudinem pene abolitam in nostris partibus renovavit magnis laboribus egregius saerae theologiae professor M. Jacobus Sprenger, Ordinis Praedicatorum, Conventus Coloniensis. Hic Magister et ego fuimus, ut ita dicam, collectanei, ambo in Conventu Basiliensi induti eodem anno, et anno revoluti professi in eisdem scholis, sub eisdem magistris disciplinati, et hodie familiaritate sumus juneti. Hoc pro tanto recitare volui, quia magistrum illum venerabilem a juventute novi devotum Virgini Mariae, et usque nunc non desistit laudes gloriosissimae Virginis Mariae promovere et augmentare.

Laboravit enim apud sedem apostolicam pro bulla indulgentiarum eamque obtinuit, in qua S. D. Papa Sixtus IV. magnas indulgentias concedit omnibus praeſatum numerum Pater noster et Ave Maria ter in septimana dicentibus. Quam orationem rosarium beatae Virginis nuncupant. Hanc bullam ego vidi, perlegi et rescripsi.

In this section, two things deserve special attention: (1) That Fabri, as indeed all the others living at the time whose words have come down to us, says that the devotion of the Rosary was an ancient one, fell into disuse, and had recently been revived. This unanimous affirmation ought to be sufficient to disabuse certain persons of their own purely subjective notion that Alan Roche introduced the devotion and, nevertheless, claimed for it an antiquity and an origin, simply fictitious. (2) That though the same persons assert, without having any historical foundation for their *dictum*, that the statement about the origin of the Rosary which Papal Bulls contain rests solely on Alan Roche and his fancied revelations, Fabri says it was James Sprenger obtained the Bull of Sixtus IV. We have already seen that Alan Roche died at Zwolle in Holland after two months' illness on 8th September, 1475, the very day on which the Legate restored the Cologne Confraternity. So far, indeed, is it from being a fact that a Pope or a Legate believed Alan Roche, that to all appearance, neither Pope nor Legate ever got into communication with him or was indebted to a statement made by him. The implied affirmation to the contrary is—so far as I am aware—a gratuitous assertion and, indeed, it seems to have been prompted by the exigencies of controversy. If, however, anyone knows that it rests upon a foundation, that it is supported by history; the person is hereby respectfully invited to point out the source from which he derived his information.

Of course, when I say that—so far as I am aware—neither Pope nor Legate ever had anything to do with Alan Roche, I speak about what appears to be objectively true. His own writings tell us much about him, and history tells us more; but nowhere do I find a word which would even imply that he ever was an informant of either Pope or Legate. As regards the Bulls, in none of them is there any reference whatever to his sermons or his writings. But on the contrary, history and the Bulls show that James Sprenger had intimate relations with Sixtus IV and Alexander Malatesta. Both of them accepted his statement about the Rosary, and showed their approval of it, in the most express manner possible, namely, by acting in accordance with it.

Incidentally, I may observe that in thus putting Alan Roche aside, I am not to be considered as wanting in reverence to him. I have great reverence for him. I by no means imply that if he made a statement, it would be unworthy of credence. On the contrary, I here express my conviction that if he had given evidence he would have said what James Sprenger said, that his statement would have been equally accurate, and equally deserving of belief. But while I am certain that if he had told either Pope or Legate that St. Dominic instituted the Rosary, they would have believed him, and have acted rightly in believing; in the interest of truth or of history I desire to direct attention

to the fact, that the evidence which Pope and Legate imply to have been given to themselves was not given by him. He had nothing to do with the Cologne Confraternity.

To make such a protest as the foregoing is a painful but an unavoidable necessity, because some persons that are but partially acquainted with the history of the restoration of the Rosary speak as if Alan Roche were the person, and the sole person, whose word the Popes took when they were about to declare that St. Dominic instituted this devotion, and also speak as if Alan Roche were a crazy enthusiast and a mere dreamer.

For instance, one of these persons speaks thus: '*The Bollandists, on trying to trace to its source the origin of the current tradition, found that all the clues converged upon one point, the preaching of the Dominican Alan de Rupe about the years 1470-75. He, undoubtedly, it was who first suggested the idea that the devotion of 'Our Lady's Psalter' (a hundred and fifty Hail Marys) was instituted or revived by St. Dominic. Alan was a very earnest and devout man, but as the highest authorities admit, he was full of delusions and based his revelations on the imaginary testimonies of writers that never existed. His preaching, however, was attended with much success. The Rosary Confraternities, organized by him and his colleagues at Douai, Cologne, and elsewhere, had great vogue, etc. . . . Indulgences were granted for the good work that was thus being done and the documents conceding these indulgences accepted and repeated, as was natural in that uncritical age, the historical data which had been inspired by Alan's writings, and which were submitted according to the usual practice by the promoters of the confraternities themselves. It was in this way that the tradition of Dominican authorship grew up. The first Bulls speak of this authorship with some reserve: 'Prout in historiis legitur,' says Leo X in the earliest of all, 'Pastoris Aeterni,' 1520; but many of the later Popes were not so guarded.*

What a knowledge of history is shown in calling the period of the Renaissance, an uncritical age! And what a knowledge of the uniform practice of the Popes before they issue Bulls is shown, in explaining the reason for which and the manner in which they granted Rosary indulgences. Besides these defects there is a third disqualification. A writer who disbelieves the Popes in regard of the present subject cannot be looked on by those who believe, as a reliable interpreter of the phrase he quotes from the Bull of Leo X. In fact he makes a mistake. It is obvious that no reserve is implied by the phrase taken in itself! Latin grammar shows this. It is obvious also that the context may sometimes determine whether the phrase is to be understood in a restricted and qualified sense, or not to be so understood. So let us look at the context. The whole clause—*protasis and apodosis*—runs thus: *Sane pro parte dilectorum filiorum Priorum et Fratrum domus Praedicatorum Coloniensium nuper exhibita petitio continebat, quod olim, prout in historiis legitur, a Sancto Dominico quaedam confraternitas utriusque sexus fidelium, de Rosario ejusdem Beatae Mariae Virginis nuncupata, ad honorem Angelicac Salutationis instituta, et in diversis mundi partibus praedicata fuit, et sequentibus signis: sed cum ipsa confraternitas decursu temporis fere*

neglecta fuisset, et in oblivionem transivisset. . . . Nos igitur piis votis illis in hac parte paterne annuentes, hujusmodi supplicationibus inclinati, auctoritate Apostolica tenore praesentium confraternitatem, . . . necnon omnes et singulas indulgentias, tam per Sixtum et Innocentium, praedecessores, quam Legatum, Accium, et Ordinarios, ut praefertur, concessas, et desuper confectas literas, ac omnia et singula in eis contenta, approbamus, confirmamus, et innovamus.

Now, we see that in their petition the Dominicans of Cologne stated absolutely and without any reserve, that according to histories St. Dominic instituted the Rosary, and we see that Leo confirmed their statement, and also statements contained in letters issued by Popes and Legates which he names, but I need not name. The words *Priorum et Fratrum* denote a Prior with his community in the time of Sixtus IV, and a Prior with his community in Leo's own time. They considered the histories to be true, and Leo considered them to be true. So the Cologne petition was made the preamble of the Bull, or the *protasis* of Leo's *apodosis*, because he intended to grant the petition and did grant it. By acting thus he conferred the highest sanction on the petitioners' statement, or made it his own; he, therefore, absolutely and without any reserve declared that St. Dominic instituted the Rosary. If any reader doubts this, will he consider what a most reliable interpreter of Papal Bulls, a specialist of unrivalled competency as regards *stylus Curiae*, namely, Benedict XIV, says is Leo X's meaning? His words (already quoted in this letter) are: *Verum quid de tot oraculis Summorum Pontificum, Leonis X, . . . quibus visum est Sanctum Dominicum fundatorem esse Rosarii?* These words certainly refer to the *Pastoris Aeterni*, because in the only other Bull of Leo about the Rosary, the *Ad Sacram Petri Sedem*, its founder is not mentioned.

It would be a mistake to think that the restoration of the Rosary was due solely to Alan Roche, for what was done in Cologne by James Sprenger was done in Spain by Juan Augustin, O.P. (*d.* 1476), and in Germany by Conrad Gross, O.P., Prior of Colmar (*d.* 1426). See on the last-mentioned, Danzas, iv. 342. If the Rosary had died out in Sicily, the same, apparently, was done by Blessed Giovanni Licci, O.P. (*d.* 1511), for we read in the Office for his feast, *Rosarii cultum insigniter auxit ac propagavit*. At the same time it must be said that of all the restorers, Alan Roche is the most celebrated.

The writer whose attempted interpretation of the *Pastoris Aeterni* cannot be accepted, writing elsewhere of Alan Roche says: *That Alan was 'not quite normal,' is, unquestionably true. Not only is this admitted by independent critics like Moreri, who wrote before the Bollandists began the controversy, etc.* Unfortunately, he does not indicate which of the numerous editions of *Le grand dictionnaire historique* he refers to. If it is to the first one which appeared in 1674, and which I have not seen, my provisional answer must be, that it was so full of errors that Moreri was kept busy in correcting those contained in the first volume till his death, which occurred in 1680. (See *Kirchenlexicon*, viii., 1912). In the third ed., 1683, which I have seen, there is (vol. i., p. 107) not a word

that implies that Moreri considered Alan to have been *un exalté*, all he says about him is: *Celui dont je parle precha avec beaucoup de zèle, et il rétablit la dévotion du Rosaire*. A later edition brought out by an erudite non-Catholic, the only other one that I have seen, omits Moreri's article on Alan Roche. So I leave this point.

When the time comes, I will quote the testimony of a number of historians sufficient, in my opinion, to make it certain that persons who ascribe mental weakness to Alan Roche say what is objectively untrue. I will put all the statements about him that are known to me before the readers of this periodical in the expectation of their judging of these statements for themselves. If anyone dissents from what I am convinced of, I cannot help that, nor am I the person to wish to force on anyone an opinion or a conclusion which on account of these historians I firmly believe to be correct. And if anyone has a single historical proof of the opposite, he is respectfully invited to produce it. Here an axiom, on which it is hoped that Catholic controversialists will always act, an axiom commonly but erroneously attributed to St. Augustine, and just as commonly altered in its expression, occurs to mind. *Si nos servaverimus in necessariis unitatem, in non necessariis libertatem, in utrisque charitatem, optimo loco essent res nostrae*. (Rupertus Meldensis, a seventeenth-century theologian, in his *Paraenesis Votiva* addressed to defenders of the Augsburg Confession.)

Now to return to Felix Fabri. He tells us that while some of his contemporaries said a three-part Rosary (as we are accustomed to do), others for a reason of their own added a fourth part. *Quidam autem praefatam orationem omni die ter dicunt et nominant eam psalterium beatae Mariae, et pro iis impetratae sunt plurimae indulgentiae, semel in vita et semel in morte. Dicitur autem psalterium, quia sicut psalterium davidicum habet tres quinquagenas ita et illud. Et primam quinquagenam ordinant in gratiarum actionem pro incarnatione et pueritia Christi. Secundam ad ejus passionem. Tertiam ad ejus glorificationem. Alii adhuc unam quinquagenam addunt, et XX. Pater et CC. Ave Maria dicunt singulis diebus, dicentes, quod liber psalmorum imperfectus est nisi post 'Laudate Dominum de coelis' apponantur cantica veteris et novi testamenti et hymni, et ideo quartam quinquagenam dicunt pro canticis et hymnis ut sit psalterium perfectum*. This was one of the many variations which are exemplified by F. Esser in his work *Über die allmähliche Einführung*, and it never became popular, as he remarks, *Die Hinzufügung eines vierten Teiles, von der Fabri redet, ist nirgendwo in Aufnahme gekommen*, (Ibid. p. 68).

This is the last remark that Fabri makes. *Insuper praefatus magister Jacobus contra aemulos beatissimae Virginis Mariae, qui detrahebant orationibus praedictis, ordinavit quod materia illa de rosario et indulgentiis fuit publice disputata in universitate Coloniensi in quodlibetis, et inventum est eam esse puram et utilem, et beatissimae Virgini acceptissimam. Et tantum pro hoc sufficiat evagatum me fuisse*. He alludes here to the *Quodlibet* of Michel François of Lille, which was as we know written in obedience to James Sprenger, his superior. A part of it, relevant

to the present discussion has been quoted in this letter. Enough now to say, that one by one the *Quodlibet* takes up many objections made to the Rosary, and answers them. The opponents of the devotion were, judging illatively or from the answers, skilful disputants, learned men that did their part ably and unsparingly. To me it has always appeared that, if such opponents thought the Rosary to be not the work of St. Dominic, but a novelty introduced by their own contemporaries, and by these fifteenth-century Dominicans, either ignorantly or falsely attributed to the founder of the Order, they would not omit to make this capital charge. And no one should or would find fault with them for making it. In that case Michel François should be bound to endeavour to refute it, and certainly he could and would refute it. But, in point of fact, neither he nor Fabri says a word which would even imply that such an objection was made. Is not this silence of theirs significant ?

REGINALD WALSH, O.P.

[*To be continued.*]

DOCUMENTS

APOSTOLIC LETTER TO CARDINAL BERTRAM CONCERNING THE FUNDAMENTAL PRINCIPLES OF CATHOLIC ACTION

(November 13, 1928)

EPISTOLAE

AD EM̄UM P. D. ADOLEUM TIT. S. AGNETIS EXTRA MOENIA S. R. E. PRESB.
CARD. BERTRAM, EPISCOPUM WRATISLAVIENSEM : DE COMMUNIBUS
ACTIONIS CATHOLICAE PRINCIPIIS ET FUNDAMENTIS.

PIUS PP. XI

Dilecte fili Noster, salutem et apostolicam benedictionem.—Quae Nobis haud ita pridem nuntiasti, coepisse ac fecisse te, ut Actionis Catholicae incrementa apud tuos proveheres, iis profecto non parum delectati sumus ; qua quidem in re, tua quoque in Apostolicam Sedem observantia ex eo apparet, quod tibi in votis esse aperiebas, scilicet ut Nosmetipsi, dilectis e dioecesi tua filiis rescribendo, et significaremus quae in eiusmodi coeptis proficiendi melior ratio ac via esset, et ad proficiendum animos adderemus. Causa quidem agitur actati ipsi apostolicae non ignota, quandoquidem Paulus in epistola ad Philippenses (c. iv. v. 3) ‘ adiutores suos ’ commemorat, cupitque adiuvari ‘ illas, quae ’ secum ipso ‘ laboraverunt in evangelio. ’ At nostris potissimum temporibus, cum fidei morumque integritas in discrimen cotidie periculosius vocatur, eamque dolemus sacerdotum penuriam, ut curandis animarum necessitatibus omnino impares evasisse videantur, Actioni Catholicae plus confidendum, quae tantam cleri tenuitatem, datis multiplicatisque e laicorum ordine laborum sociis, adiuvet ac suppleat. Quam quidem rei catholicae sospitandae rationem plane liquet decessores Nostros probasse atque adhibuisse, qui, quo asperiora Ecclesiae et consortioni hominum inciderunt tempora, eo impensius, veluti receptui canentes, fideles omnes hortati sunt, ut, Episcopis praecuntibus, sancta certarent certamina aeternaeque proximorum saluti pro viribus consularent. Nec minus Nos, iam inde ab inito pontificatu, de Actionis Catholicae incrementis solliciti fuimus, utpote qui, Litteris Encyclicis ‘ Ubi arcano ’ ipsam a pastoralis ministerio et a vita christiana minime disiungi publice edixerimus, declaratis deinceps eius natura et proposito, quae si recte perpendantur, apparet Actionem Catholicam alio non spectare, nisi ut laici apostolatuum hierarchieum quodammodo participent. Neque enim Actio Catholica in eo tantum consistit, ut homines suae quisque christianae perfectioni student, quod primum est atque praecipuum, sed etiam in verissimo apostolatu

catholicis cuiusvis ordinis communi, quorum sensus atque opera cum iis quibusdam quasi centris sanae doctrinae et multiplicis actuosique laboris, cohaereant, quibus rite legitimeque constitutis Episcoporum demum adest ac suffragatur auctoritas. Christifidelibus igitur, qui sic coiverint atque in unum coaluerint, ut ad nutum hierarchiae ecclesiasticae praesto sint, sacra ipsa hierarchia quemadmodum mandatum impertit, sic incitamenta et stimulos adiicit. Iamvero, haud aliter ac mandatum Ecclesiae divinitus commissum, ipsiusque hierarchicus apostolatus, Actio eiusmodi non externa prorsus sed spiritualis, non terrena sed caelestis, non politica sed 'religiosa' dicenda est. Verumtamen eam ipsam iure meritoque 'socialem' dixeris, cum id sibi propositum habeat, ut Christi Domini regnum proferat, quo quidem proferendo cum summum omnium bonum societati acquiritur, tum cetera quaeruntur bona, quae ab illo proficiscuntur, ut sunt quae ad statum Civitatis pertinent et politica vocantur, scilicet bona non privata ac singulorum propria, sed civibus omnibus communia: id autem omne Actio Catholica ita potest ac debet assequi, si, Dei Ecclesiaeque legibus modeste parendo, a civium studiis partium sit prorsus aliena. Quo quidem spiritu si imbuti animatique sint catholici, qui apostolatus hierarchici participes sint, facere non poterunt, quin promoveant, tanquam finem proximum, christifidelium ex omnibus nationibus coniunctionem in iis quae ad mores religionemque pertinent, itemque—quod praecipuum est—valeant ad fidei doctrinaeque christianae principia cum late disseminanda, tum valide tuenda, tum denique privatim publiceque promovenda. Itaque in Actione Catholica nostri universi omnes concordēs erunt, nullo vel aetatis, vel sexus, vel ordinis, vel civilis cultus, nullo stirpium partiumque discrimine, modo tamen huiusmodi studia evangelicae doctrinae christianaeque legi ne repugnent, modo qui ea profitentur, hoc ipso eandem doctrinam ac legem ne abdicare videantur. Nam de Actione illa dicimus, quae totum hominem complectitur cuius rectam provehit religiosam civilemque institutionem, id est solidam pietatem, uberem sanae doctrinae cognitionem et plenam morum integritatem, quibus rebus qui careat, apostolatum hierarchicum non is fructuose exercere poterit. Facile, ceteroqui, intellectu est Actionem Catholicam, quod ad usum spectat, variam fore pro diversitate aetatis et sexus, pro varia temporum locorumque condicione, ita tamen ut qui de iuvenilibus coetibus sunt, ii ad futura rerum incepta se potissimum conforment ac comparent, firmatae vero aetatis hominibus latior pateat campus, utpote quorum sit si qua sibi liceat in societatem humanam beneficia conferre, quae cum divino Ecclesiae munere aliquo pacto cohaereant, ab nullis eorum impertiendis abstinere. Nec vero Actio Catholica quod habet sibi propositum, peculiari via ac ratione assequi contendit; quin imo opera et sodalicia cuiusvis generis, vel praecipue religiosa, ut quae iuventutis instituendae aut pietatis fovendae gratia instituta sunt, vel proprie civilia atque oeconomica, ad apostolatum socialem convertit ac dirigit. Atque Actio haec ob sapientem illam, quam habet, ex una concordique gubernatione sibi insitam, virium officiorumque ordinationem, qua varia totius compagis suae reguntur elementa—quae sunt coetus hominum

ac mulierum itemque iuvenum ex utroque sexu—cum fruatur ipsamet utilitatibus, quas sodalicia religiosa dumtaxat et oeconomica sibi pepere- rint, tum ea adiuvabit fovebitque id efficiendo, ut non modo consensio ac benevolentia sed etiam adjutricis operae praesidium utrumque inter- cedat, eo quidem cum Ecclesiae et humanae societatis emolumento, quod facile coniiicitur. Hoc autem in comparando bono, quod est maxime religionis et morum, Actio Catholica non sane intercipient suis aditum ad rem publicam, qua late eius tractatio patet; immo eos ad publica munia reddet aptiores, quippe quos ad vitae sanctimoniam christiano- rumque officiorum observantiam severe conformaverit. Quid, quod ad pariendos societati optimos omnium cives, religiosissimos reipublicae scitissimosque omnium magistratus nata videtur? Quis igitur affirma- verit eam vera rei publicae commoda negligere, quae demum commoda extra christianae caritatis campum minime vagantur, cum ad caritatem pertineat publicam omne genus prosperitatem provehere? Eiusmodi quidem prosperitatem in qua proximus finis continetur societatis civilis, nonne Actio Catholica tum provelit, cum suos iubet legitimam auctori- tatem vereri legibusque obtemperare, ea servare ac tueri, quibus popu- lorum salus ac felicitas nititur: ut morum integritatem, ut convictus domestici incolunitatem, ut civilium ordinum inter se concordiam et consensionem, id scilicet omne, quod ad societatem hominum tranquil- landam tuendamque confert? Et sane id facilius assequitur, quia cum, ut diximus, partium studiis nequaquam implicetur, etsi eadem et catholicis constant—qui profecto de controversiis liberae disceptationi relictis dissentire non prohibentur,—ultra consilii praescriptisque ob- sequetur, quae sacerorum antistites daturi sunt. quamvis ea ipsa factionum disciplinae commodisque repugnent vel repugnare videantur.—Ex iis, quae adhuc memoravimus, liquido patet, dilecte fili Noster, Actionem Catholicam iure meritoque habendam esse quandam veluti viam ac rationem qua ad beneficia omne genus nationibus impertienda utitur Ecclesia: viam ac rationem, inquam, quae videatur divino consilio ac beneficio inducta, ut ad evangelicam doctrinam ac legem illos Ecclesia alliciat ac trahat, qui, nullo cum sacerdotibus commercio usque, facile in seditiosorum hominum fallacias pravasque artes concederent. Haec sunt cuius Actioni Catholicae communia principia ac fundamenta, quamquam ex una eademque causa, pro vario populorum ingenio variaque nationum condicione, varii gignuntur effectus. Manifesto ex his apparet eam patrocinio dignam esse non modo Episcoporum et sacerdotum— qui probe norunt ipsam Nosmet in oculis Nostris ferre—sed etiam guber- natorum ac magistratum cuiuslibet Civitatis: quodsi communi eiusmodi patrocinio fulciatur, iam mirificam fructuum ubertatem in gentes catholicas proferet, et ubivis, religionem in animis excitando, non parum ad civilem prosperitatem conducet. Quod ut auspiciato eveniat vehementer cupi- mus. Interea, dilecte fili Noster, grati admodum tibi sumus quod, luculentus mentis Nostrae interpret, Actionem Catholicam in dioecesi tua propagare contendis, neque minus quod Nobis opportunitatem dedisti eius ad commune bonum denuo patefaciendae.

Caelestium vero donorum auspiciem paternaeque benevolentiae

testem, tibi, dilecte fili Noster, et clero populoque tuo universo apostolicam benedictionem peramanter impertimus.

Datum Romae apud Sanctum Petrum, die XIII mensis Novembris anno MDCCCXXVIII, Pontificatus Nostri septimo.

PIUS PP. XI

APOSTOLIC LETTER TO CARDINAL SEGURA Y SAENZ, ARCHBISHOP OF TOLEDO, CONCERNING THE APPROACHING SPANISH CONGRESS OF SACRED MUSIC

(October 18, 1928)

EPISTOLAE

AD EM̃UM P. D. PETRUM, S. R. E. PRESB. CARDINALEM SEGURA Y SAENZ, ARCHIEPISCOPUM TOLETANUM: DE CONVENTU MUSICAE SACRAE PROVEHENDAE EX HISPANIA UNIVERSA.

PIUS PP. XI

Dilecte fili Noster, salutem et apostolicam benedictionem.—Certiores nuper facti sumus Conventum musicae sacrae provehendae ex Hispania universa mox Victoriae actum iri, anno quidem exeunte quinto et vice-simo ex quo decessor Noster p. r. Pius X novam legem de musica in templis adhibenda motu proprio promulgavit. Optimum sane consilium vos iniistis planeque dignum eo pietatis ardore quo hispani in decore domus Dei curando tantopere enitent. Ecquid autem magis templi maiestatem decet quam sacris eis concentibus in liturgia uti, quibus commoti fideles et religiosius divina mysteria participant et animos fidentius ad Deum erigendo magnam eius gloriam concelebrent? Dent igitur operam cum Ordinarii tum curiones ut *scholae cantorum* ubique, si possibile est, constituentur gregorianum cantum, uti vocant, non neglegentes, qui quidem si rite ab universo populo efficiatur, tantam vim habet pietatem fidemque excitandi. Nos vero qui eandem legem, quam Pius X motu proprio edixerat, dudum in Litteris ad dilectum filium Nostrum Cardinalem Bisleti, die XXIII mensis Augusti anno MDCCCXXIII datis, confirmavimus ratamque habuimus, id fore confidimus ut, quemadmodum ceterae liberales artes domum Dei merito condecorant, ita musica sacra, bonus omnibus adnitentibus, eam istie assequatur dignitatem quam maiestas sacri loci expostulat. Qua spe lacti, tibi imprimis, dilecte fili Noster, ceteris in episcopatu collegis iisque omnibus qui Conventui intererunt, apostolicam benedictionem, divinorum auspiciem munerum paternaque benevolentiae Nostrae testem, amantissime in Domino impertimus.

Datum Romae apud Sanctum Petrum, die XVIII mensis Octobris anno MDCCCXXVIII, Pontificatus Nostri septimo.

PIUS PP. XI

REVIEWS AND NOTES

BIRTH-CONTROL AND EUGENICS. By Charles P. Bruehl, Ph.D.
New York : Joseph F. Wagner, Inc.

THERE is no moral question of such keen and widespread interest to-day as that of Birth-Control. The Catholic Church has taken up an uncompromising attitude which brings it into direct opposition to a large and influential section of the medical profession, and a number of loud-voiced social reformers. A clear and exhaustive statement of the reasons for the Church's attitude will be welcomed by all who have the care of souls, on whom it largely devolves to maintain the moral integrity of Catholic life. It will appeal also to a wider public, for birth-control has in this country become the subject of legislative action in regard to the Censorship Bill, and already the taunt of practice differing from theory among our higher classes has been thrown in debate. Lay Catholics naturally prefer to avoid such a nasty subject; but where the interests of the general welfare is at stake, ignorance is no boon, and it would be well if all educated Catholics were conversant with the sound, rational and biological basis of the Catholic position.

Dr. Bruehl devotes but one chapter to birth-control, and the remaining thirteen to eugenics. He shows that the practice of artificial birth-restriction is injurious to the parents, children (if any), and to society. The chapter does not give much clear and systematic analysis of the arguments for and against birth-control, nor full investigation of the intrinsic immorality of the practice.

To the question of eugenics the author devotes more space and attention, chiefly because the sterilisation of the unfit, for the sake of race purity, has been enacted by law in fifteen of the States of the Union, and been put in practice to such extent that in California 2,588 persons were subjected to it between 1907 and 1921. Sterilisation is, therefore, a very important and practical issue for Americans. It is here discussed as a punitive, therapeutic, or eugenical measure. Castration was formerly much in use as a punishment for crime, and is, obviously, within the competence of the State; but vasectomy lacks every quality of punishment, and would give rise to serious abuses. As a remedial measure, vasectomy is lawful when required for the life of the body: a difficult case arises in regard to sexual crethism. Catholic moralists never approved of castration as a remedy for concupiscence; but if sexual crethism, which creates not merely serious moral difficulties, but a positive danger of insanity, arises from pathological causes, vasectomy has been justified as the only effective remedy. There is, however, room for caution, as further research has not borne out the universal effectiveness of the operation. As a strictly eugenical measure sterilization has been

enacted by States as a defence against racial degeneracy and the financial burden of supporting the unfit progeny of the unfit. Dr. Bruchl denies that *in the present circumstances* the State is justified in making this inroad on the personal liberty of the subject. For there is no serious danger of racial degeneracy; not enough is known of heredity; there are other and less drastic means of avoiding the dangers; and, finally, legal sterilisation would be open to very serious abuses, and do more harm than good. Dr. Bruchl develops each of these points at length with copious quotations from the latest literature in America and Europe on the subject; he completely and decisively discredits eugenical sterilization as a State measure. He goes to some length to show that with the object of eugenics—the maintenance of racial fitness—Catholics are in hearty sympathy; that in fact they possess the only means which are sound biologically, socially—and therefore—morally, viz., the sacred institutions of marriage and the family, the virtues of chastity, temperance, and social justice. While Dr. Bruchl holds that vasectomy, as a State measure, is at present entirely unjustifiable, he admits that there might be circumstances in which it would be lawful. This is a point which he touches very lightly. It is only casually and at the end that we find there is a division of opinion on the subject. The author is discursive and journalistic in his method: he is intent on making a case. The mechanism of scholarship in America nowadays seems to demand an abundance of quotations, which almost crowd out the author's thought. It is a pity that the references are seldom given in full. The work would have gained very considerably if it contained more of systematic exposition of the teaching of the Church, and less of quotations from second-rate authors. In particular, the author should have faced the question whether if the State has at any time the right to mutilate the unfit, it has also the right to kill them, and if not why not? He might also, with advantage, have entered in detail into the circumstances when segregation and prohibition of marriage is justified, and given an account of the Church's attitude to lepers. But as it stands the work is well worth reading, and can be recommended to the public as an earnest and effective defence of sound morality.

M. J. B.

LE CODE DE DROIT CANONIQUE—Commentaire succinct et pratique.
Par M. Adrien Cance, Docteur en Theologie, Professeur au Grand
Seminaire de Rodez. 2 Vols. Paris: J. Gabalda et Fils.

ALTHOUGH the Code of Canon Law was published in 1917 this is the first commentary in the French language which has appeared. It professes to be a brief and practical commentary meant for those who desire light on the present legislation of the Church, and who have not the time or opportunity to consult the long commentaries of the great canonists. The first two volumes have already appeared: they bring the treatment as far as Canon 1153. The third and final volume is in preparation, and may be expected soon.

After a short introduction on the nature and sources of Canon Law, the author begins directly with the first canon, and adheres rigidly to the order of the Code. His exposition is brief, but very clear, and in the most limpid of French. Legal notions and terminology are made plain, particular attention is given to difficulties of the practical order, such as confront the busy missionary priest, and the most recent decisions of the Holy See are incorporated. Historical notes on the development of legal institutions are given in condensed form, and though generally very reliable, we would draw the author's attention to that in paragraph 258, which, as it stands, is incorrect. From a manual of this size and scope it would be unreasonable to expect a solution of the canonical difficulties left in the Code, such as those raised by Canon 14, § 1, 2°; but the notes will usually be found to contain very helpful bibliographical references. The appendices to Volumes I and II contain the text of some important Papal documents, and a number of very useful formulæ for the execution of legal deeds. There is an index of Roman post-Code decisions dealt with in the text; and a table by which one can easily locate the commentary on each particular canon.

The work is an excellent one of its kind, and we heartily recommend it to those who desire a small and practical commentary of the Code in French.

M. J. B.

DICTIONNAIRE DE LA BIBLE. Supplément, publié sous la direction de Louis Pirot. Fascicules 3-5. Paris: Librairie Letouzey et Ané. 1928.

VIGOUROUX's *Dictionnaire de la Bible* was published in the period 1895-1912. Biblical science has developed so greatly since 1912 that it is now necessary largely to supplement, and partly to re-write the *Dictionnaire* to bring it up to date. Since 1926 a *Supplément* has been appearing. We have recently received Parts III to V of this *Supplément*. These parts cover extensive and important ground. They contain long articles on subjects of such great importance as the Apocrypha of the New Testament, Babylon and the Bible (nearly 150 columns), Baptism (seventy columns), the Greek *Catenæ* (nearly 150 columns), Biblical Chronology (a long essay by Coucke and Prat, not complete in the fifth part). There are articles of great theological interest on the idea of the Christian Apostolate, Canonicity, Blasphemy against the Holy Spirit, Charism, etc. A number of up-to-date Articles deal learnedly with archaeological and geographical subjects—such as Biblical Archaeology, the Beatitudes, Canaan, Capharnaum, the Cenacle, Beisan, Bethlehem, etc. Each article is accompanied by a very satisfactory bibliography. In the archaeological articles the results of the most recent excavation work in Palestine are taken into account.

The articles in general are much more detailed than those usually found in books of reference. In several instances they have all the value of adequate scientific treatises. All the contributors are men of note in their respective departments. It is very pleasant to us to find among

them a distinguished Irish scholar—Father Power, S.J. (author of the article on the Cenacle). The *Supplément* is quite indispensable for every serious student of things Biblical.

B.

PSALTERIUM EX HEBRAEO LATINUM. Auctore Francisco Zorell, S.I.
Rome : Biblical Institute, 1928.

THIS work by a recognized authority on Hebrew Poetry gives us a new Latin Version of the Hebrew Psalter and of the Breviary Canticles. It is prefaced by a brief history of the Latin Psalter, and a discussion of the character and the chief forms of Hebrew Poetry. The author explains in the Preface that his purpose in the work is not to supply a Commentary on the Psalter, but to give such a clear and accurate Latin version of the Psalms and Canticles as will reduce to a minimum the necessity of a Commentary. The only text printed in the work is that of the author's new version. The text is so arranged as to convey the author's idea of the poetical structure of each Psalm and Canticle. A suitable title, a summary of the argument, and brief explanatory notes accompany each psalm. Critical discussions of the Hebrew text are mostly relegated to a special section at the end of the work.

The aim of this book is essentially practical. Its appeal is not to the professional scholar, but to the hard-working ecclesiastic who, having little time to study long Commentaries, is eager to read the Office with understanding and spiritual profit. Within the limits of his purpose the author, we think, has been very successful. Without parade of learning he has given the clergy a very reliable and scholarly little Handbook to the Psalms and Canticles of the Breviary.

B.

THE LIFE OF THE VENERABLE JOSEPH PASSERAT, C.SS.R. By the Rev. H. Girouille, C.SS.R. Translated by the Rev. J. Carr, C.SS.R. London : Sands & Co., 1928. Price 12s. 6d.

GREAT needs bring forth great men. On the Continent of Europe the end of the eighteenth century saw the storm burst against the Church. In France the *Civil Constitution of the Clergy*, which exercised such a baneful influence on religion, was enacted by the Revolutionary Party, and many of its evil effects remained even under the Napoleonic regime. In the Empire Febronianism and Josephism had invaded the liturgy, weakened ecclesiastical discipline, undermined Catholic philosophy, and in many quarters was making shipwreck of the Faith. One of the organizations that might have coped with the situation and reinstated religion in the hearts of the people was paralyzed; in Italy the Redemptorist Congregation, owing to the unfortunate *Regolamento*, was for a time hopelessly split up, and even its founder, St. Alphonsus, had been cut off from membership of his own Congregation. It is true that in Warsaw the Redemptorists, under the guidance of St. Clement Hofbauer had, as Bennonites, achieved marvellous success, but St. Benno's was in a few years more to fall before the onslaught of its enemies, and its

first offshoot, Mt. Thabor, in South Germany, met with relentless persecution at the hands of that strange product of the times, Wessenberg, the Vicar-General and petty tyrant of Constance. Two other foundations in the same territory, one at Triberg and the other at Babenhausen, shared the same fate. The situation was desperate, but into the gap of danger stepped men ready to do and dare—among whom should be mentioned Clement Hofbauer and Joseph Passerat. ‘Give me four Hofbauers for the pulpit and four Passerats for the confessional,’ exclaimed an enthusiastie Curé. ‘and I will undertake to convert the world.’

What time Clement Hofbauer was struggling, like the hero he was, to advance the cause of Christ in the capital of Poland, Joseph Passerat, at the age of twenty, in 1792, became a conscript in the army of the Revolution. A cultured gentleman, with many academic triumphs to his credit, a man of commanding stature and majestic bearing, with plenty of energy and dash, he seemed to be cut out by nature for a French officer. A soldier and officer he was destined to be, not, indeed, a conscript in the army of the Republic of France, but, by the grace of God, a volunteer in one of the recently formed regiments of Christ, the Congregation of the Most Holy Redeemer. Clement Hofbauer and Joseph Passerat—these two men form important links in the chain of Redemptorist tradition and Redemptorist influence in the annals of Europe. The Venerable Joseph Passerat became ‘the chosen disciple of St. Clement Hofbauer, his successor as Vicar-General of the Congregation of the Most Holy Redeemer, and after him its most *Illustrious Propagator* in the countries outside Italy.’

The year 1796 brought them together in Warsaw as master and novice. St. Clement called Joseph Passerat ‘my big Frenchman,’ and big he was in every way, in body, in mind and heart. He was generous above measure in the service of God, and used, under grace, all his native energy in the war against self-love and his rebellious passions. Even in the noviceship he began to display those virtues for which he was afterwards remarkable: trust in God, humility, self-denial, the spirit of prayer and fraternal charity, and that sweetness, gentleness and affability, which were characteristic of him at all times. St. Clement showed his confidence in the virtue and ability of the young man by making him, immediately after his ordination, in 1797, Professor of Theology and Novice-master. His duties in this twofold capacity were onerous, but he managed to find an outlet for his zeal as an apostle by devoting to the confessional every moment he could spare from his official work. Herein he soon proved himself a past-master, and his confessional was besieged by penitents from all parts. In a few years more, 1802, he started on those labours of spreading the Congregation which have earned for him the honour of sharing with St. Alphonsus, the title of *Illustrious Propagator* of the family of St. Alphonsus. Without our going into details it is sufficient to say that, before his saintly death in 1858, Father Passerat had established foundations in Switzerland, Austria, France, Prussia, Belgium, Holland, Portugal, England and the United States. In all, some sixty houses trace their origin to this remarkable organizer.

Great, however, as were the achievements of Father Passerat, and important as they are from an historical point of view, yet to secular priests and to religious, of whatever rule and degree, his teaching and example are still more valuable. In Switzerland he was a missionary priest, and had the care of souls for years. As a confessor he was unsurpassed, crowds flocked to his confessional at all times, and he had some remarkable conversions; he was an admirable spiritual director, and brought light and consolation to innumerable souls. As a preacher he met with extraordinary success. His style was simple, terse, personal and full of imagery. His presence in the pulpit was most imposing. 'Dignity and animation characterized his delivery. He displayed an abundance of fire, though his voice was never unpleasantly loud; his tone, bearing, gesture, everything about him bespoke the spiritual man, the man of God, profoundly convinced of what he was saying' (page 179). His practice in regard to preparation for preaching is worth recording: 'Personally, I have always prepared sufficiently well to escape the reproach of having tempted God.' To the secular priest engaged in parochial work the whole of chapter xi. in Book I, entitled 'An Apostle in a Parish,' is a storehouse of information and practical advice on his duties to his parishioners, an epic of intense and persevering effort, in which the masterful personality of this great apostle throws out a continual incentive to work for higher ends. Religious will find in Father Passerat a living epitome of ascetical theology, an example of regular observance, of humility, of prayer, of mortification, trust in God, and of all those virtues which it is the aim of the cloister to foster. His childlike confidence in God when all hope, humanly speaking, is gone, is often disconcerting: when he was driven out of Vienna and his life threatened he merely said, 'if they kill me they only send me the sooner to heaven.' He was 'the living embodiment of the spirit of prayer, prayer and meditation were his very life.' One morning he said to his novices: 'My Admonitor told me I must not preach so much during meditation; so to-day I'll just say this one word: pray, my brothers. pray, pray.' We can recommend his biography to religious communities, both men and women, as an excellent book for common reading. And it may be that the secular priest will draw more unction from it, both for himself and his flock, than from some of the more abstruse tomes on asceticism.

As a biography the volume is thorough, and shows a fine selective judgment and balance. The author, Father Henri Girouille, was a man of parts, he was painstaking in his researches and a careful writer. He knows well the background of general European history at that period; and men who stand forth as the makers of Europe over one hundred years ago are often shown in their dealings with these early Redemptorists to possess qualities of greatness and meanness which are hidden on the stage of general history. He devoted thirty years to the collection and arrangement of his materials for this *Life*, and in support of every statement he makes can call witness and present document. He was able to appeal to the early *Chronicles* of the different

Redemptorist foundations for intimate personal touches, and he was particularly fortunate in having as one of these chroniclers Father Aloysius Czech, a keen observer and one gifted with a rich vein of humour, from whom he draws some delightful pictures.

The translation is well done and calls for unstinted praise: it has no appearance of a translation. Father Carr deserves well for putting such a valuable and interesting work within the reach of the English-reading world. He points out that this biography inculcates on apostolic workers 'the need and worth of personal holiness, the part played by grace in effecting any good that is in the least supernatural, and the part played by prayer in procuring such grace' (page 26). That is a valuable lesson to the modern world, which tends to measure merit by results alone, and the lesson is clearly taught in this *Life* of a great priest and a great religious. We offer our congratulations to Father Carr on the high standard of excellence maintained throughout this volume, all the more laudable, coming, as it does, so quickly after the publication of *Christ is All*. There is a Foreword by His Eminence Cardinal Van Rossum, C.S.S.R., and an Introductory Letter from the Most Rev. Patrick Murray, C.S.S.R., Superior-General, to whom the author dedicated his work.

D. M.

THOUGHTS ON RELIGION. By Shattock. Published by Kegan Paul. Pp. 220. Price 6s.

ST. FRANCIS XAVIER. By Schurhammer. Herder Book Co. Pp. 311. Price 9s.

PROFESSOR SHATTOCK, pathologist and research worker, was a deep and original thinker. Besides he was more systematic and thorough than most of us and jotted down his thoughts. The present volume, edited by his son, is 'the collection of his original thoughts on religious matters, printed in the sequence in which he wrote them.' Each 'thought' is given a few or more lines to itself, and is expressed in epigrammatic and often very forcible fashion. Moral values and practices, dogmatic truths, apologetic facts—that, in very rough division, gives a summary of the subjects treated of. We may give a better idea still by illustration—it has as little unity but much wisdom as has the Book of Proverbs. This from the book itself. 'The atheists reject all miracle, to hold the only one that is truly incredible—a universe of law, without a universal intelligence' (page 97), and again, 'you are in need of consolation? Hurry out to console someone' (page 14), and we have said as much by way of giving an idea of the nature and contents of the book as it is possible to do without reproducing it altogether. It will prove a boon to the busy man, because it conveys much matter in few words, and to the serious man, because it suggests more than it actually says: to others it will make little appeal though.

Macaulay takes his schoolboy to task for knowing nothing of the pioneers of the English conquest of India, though he has the details of the downfall of Athualpa and the Incas at his fingers' tips. More truly

might we reproach our Catholic youth with ignorance of what their religious ideals should make them take proud interest in—the lives of missionary heroes of Jesus Christ—were it not that the fault lies in the lack of opportunity they have of becoming acquainted with the history of these lives. For that reason we welcome the English translation of Father Schurhammer's *St. Francis Xavier*. The conquests of an Alexander or a Napoleon capture the imagination and appeal to all that is romantic and heroic in a man. But what was Alexander's victory, what was Napoleon's, compared with that of Xavier, who with a few companions set out from the court of the King of Portugal, in 1541, to plant the banner of the Cross among the little known peoples of the Far East, and succeeded! No invincible armies or infallible strategy ensured his progress—his sole weapons were his own steadfast daring and the grace of God. No captive monarchs or plundered treasures marked his triumph, but only the changed lives and the devotion of his converts. East India, Goa, Ceylon and Malacca, perils of sea and perils of land, of pirates, of robbers, of the pioneer white man treading where never yet white feet had trodden nor white lips spoken, a message unfolded to ears that thirsted for it yet found it hard to take it in, any of these could be worked up into a best-seller by a modern story writer, yet all, and more, are to be found in the biography of St. Francis Xavier. With him we journey through the Straits of Malacca and Singapore, across the isle-studded ocean to Kagoshima in Japan, and finally Miyako, the royal city. Yet another voyage and he touches China, the Promised Land of all later Christian missionaries. Finally comes the touching death scene on December 3rd, 1552. That is the active service record the book unfolds to us, led up to by the stirring events of Francis' young days among the martial Basques and his important connection with St. Ignatius Loyola and the foundation of the Order of the Society of Jesus.

The present book aspires to be nothing more than a plain, popular, unadorned narrative of these events, leaving the character and personal magnetism of the saint to emerge from his actions and achievements. It is just the method that appeals to boys—nothing of the 'goody-goody' hero or moralizing character sketching, but just the simple presentation of a great man, doing great things, for a great cause. It is more readable than a novel, more gripping than an 'adventure' story, a greater power for good than a set spiritual book. That is saying a great deal for it. It is not saying too much. The life is an inspiration, a sermon writ in action, that could be spoiled by a writer who would strive for effect and attempt to paint the lily. Father Schurhammer avoids that pitfall, and presents us the bloom unspoiled. May the work find its way to many readers—would that it were a little cheaper—and may it inspire some of them with a desire to embrace St. Francis' ideals and to dedicate themselves to the service of Christ among the descendants of those peoples of India, China and Japan that he so dearly loved.

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CHURCH AND STATE

THE 'UNAM SANCTAM' OF BONIFACE VIII

BY REV. R. HULL, S.J.

WE have on former occasions presented to the readers of this magazine some remarks on the problem of Church and State as it existed at the beginning of the fourteenth century. We have sketched the theory of an ardent supporter of the claims of the Papacy—Jacobus de Viterbio, whose remarkable work appeared in 1302¹; in a second article we endeavoured to summarize the views of a writer of a very different school—Ockham, whose vehement denunciations of the Papacy served as the theological programme of the supporters of Louis of Bavaria.² It may now be not without interest to consider a document which stands in the name of one of the interested parties to the dispute—the *Unam Sanctam* of Boniface VIII (18th November, 1302).³

The *Unam Sanctam* was issued at the height of the quarrel between Boniface VIII and Philip the Fair, and represents, both in fact, and in the intention of its author, the last word of the Pope in the controversy. There had been many sources of friction between the two powers; the chief, however, had been the claim of the Pope to restrict the rights of the king in the matter of taxation. Money was badly needed for his wars with England, and the king was not likely to miss any opportunity of raising the requisite funds by raids on the pockets of the clergy. Boniface, by his Bull *Clericis laicos* (February, 1296), forbade the clergy to pay these taxes, except after permission obtained from the Holy See. The effects of this pronouncement

¹ I. E. RECORD, May, 1928.

² Ibid. September, 1928.

³ Text in Friedberg. *Corpus Iuris Canonici*, ii. col. 1245, 1246.

were felt not only in France, but also in England. In France the opposition was very violent, and the Pope seems to have toned down somewhat the meaning of his prohibition. However, relations between the Papacy and France continued very strained; and eventually, by the *Salvator mundi* (4th December, 1301), the Pope withdrew all the privileges and concessions which had been granted in favour of the French king. On the next day, the *Ausculta fili* was issued. It sets forth in very strong terms the claims of the Pope and, of course, it met with equally strong opposition from the whole French nation—clergy, nobles, and commons. Again, Boniface seems to have endeavoured to whittle down the obvious interpretation of his Bull. ‘*Quadraginta anni sunt quod nos sumus experti in jure, et scimus quod duae sunt potestates ordinatae a Deo. Quis ergo debet credere, vel potest, quod tanta fatuitas, tanta insipientia sit vel fuerit in capite nostro. . . . Non potest negare rex seu quicumque alter fidelis, quia sit nobis subjectus ratione peccati.*’¹ And yet, at the same time, he is not afraid to say: ‘*Prædecessores nostri deposuerunt tres reges Franciae. . . . Cum rex commisit omnia quae illi commiserunt et maiora, nos deponeremus regem ita sicut unum garcionem, licet cum dolore et tristia magna.*’ And he insisted on the holding of the council which he had previously announced for the proper regulation of the affairs of France.

The *Unam Sanctam* is generally considered to be the fruit of the deliberations of this council; but there is no proof that it was issued as a conciliar document; it is fairly clear that it is the act of the Pope alone. Its importance is acknowledged on all hands; the attention which has been bestowed on it by many investigators is sufficient evidence of this. What is to be noted is the variety of the judgments which have been passed on it. Some have acclaimed it one of the most remarkable of theological documents, while others cannot see anything in it but a mere repetition of what had already been set forth by Pope

¹ Consistory, 24th June, 1302.

or theologian. Again, it is interpreted by some as a vindication by Pope Boniface of what, in later days, came to be known as the *potestas indirecta*; but others find in it the assertion of the most absolute powers of the Papacy.

We may distinguish, in relation to the Bull, a literary and a theological problem. At first sight it may be thought that the former is completely distinct from the latter. But, as will appear, the determination of the sources and literary affinities of the Bull, has a determining influence on the theological interpretation of its doctrine.

On the question of the sources of the Bull we cannot do more, or better, than state the conclusions of M. Rivière,¹ together with some of the reasons which he adduces. In 1858, the text of the *De ecclesiastica potestate* of Aegidius Romanus² was discovered by Jourdain. The latter was so impressed by the resemblances between the *Unam Sanctam* and this treatise, that he hazarded the conjecture that both came from the same hand. M. Rivière, while pointing out that there is really no proof of this, shows decisively that the work of Aegidius was used by the person responsible for the drawing up of the Bull. He notes that while the treatise of Aegidius runs to thirty-six chapters, it is only with two of these chapters that the Bull shows affinity. 'Simple réflexion, mais déjà propre à jeter quelque jour sur le rapport des deux documents. Tout ne s'explique-t-il pas à merveille en admettant que c'est l'auteur de la bulle qui va chercher dans l'œuvre considérable de Gilles les morceaux relatifs à sa thèse? Une étude plus approfondie vient fortifier cette première impression.'³

We can merely indicate what is, perhaps, his most convincing argument. It is based on an examination of the passage in the Bull, 'Spirituallem autem et dignitate testante Apostolo; Spiritualis homo, etc.' In this

¹ *Le problème de l'Église et de l'État au temps de Philippe le Bel*, by Jean Rivière. (*Spicilegium Sacrum Lovaniense. Etudes et Documents*, Fasc. 8).

² On Aegidius Romanus, cf. R. Scholz, *Die Publizistik zur Zeit Philipps des Schönen und Bonifaz VIII* (1903, Stuttgart), pp. 32-129.

³ Rivière, op. cit. p. 396.

passage, the Bull is utilizing a classical *locus* from Hugh of St. Victor¹; but at the same time there is interspersed matter from another source—and these interpolations are taken word for word out of the treatise of Aegidius. That this is so, i.e., that it is the Bull which is copying from Aegidius, is made evident from the fact that, without the commentary which accompanies these extracts in the treatise of Aegidius, they are in the Bull almost unintelligible. What are we to make of ‘Quod etiam ex decimarum datione et benedictione, et sanctificatione, ex ipsius potestatis acceptione, ex ipsarum rerum gubernatione claris oculis intuemur?’ They are, indeed, fully intelligible only when we remember that they are simply the heads of proof adduced by Aegidius for the fundamental thesis of the supremacy of ecclesiastical over royal authority. They receive at his hands their necessary explanation and elucidation. The Bull could not, or did not wish to, produce this extended development; it was content simply to give the heads of the argument of Aegidius. Further, this fourfold division sets out the only proof which Aegidius produces; whereas the Bull establishes the thesis first of all on a more general principle, viz., the supremacy of the spiritual *spiritualia temporalia antecellunt*. Hence, the proofs of Aegidius occupy a secondary position in the Bull and are, therefore, introduced by the word *etiam*.² Turning now from the consideration of the actual terms of the Bull, we find that extrinsic arguments are not wanting to support the view that the Bull is based on the treatise of Aegidius. It can scarcely be doubtful that Jacobus de Viterbio made use of the work of Aegidius (who was, indeed, his master, and fellow-religious), in the composition of his *De regimine christiano*. Jacobus was made Bishop of Beneventum, 3rd September, 1302—very probably as a reward of his labours in the defence of the Papacy: in his dedicatory preface

¹ *De Sacramentis*, ii. pars. 2, c. 4 (Migne 176, 418).

² For other arguments, deducible from internal criticism of the Bull, we can here only refer the reader to M. Rivière's discussion, *op. cit.*, p. 394-401. He appears to have put the question beyond dispute.

no mention is made of the bestowal of this dignity, and indeed he writes as a simple theologian. The Bull is of date 18th November, 1302, therefore, the work of Jacobus was earlier than the Bull, and, *a fortiori*, so also was the work of Aegidius. The absence, too, of any reference to the Bull in the treatise of Aegidius points to the same conclusion.

Before passing on to the general dogmatic interpretation of the document, we may consider two instances in which the neglect of the literary problem has led to a failure to see the true meaning of a particular text in the Bull. We have already alluded to the difficulty of reaching any satisfactory meaning in the sentence, *Quod etiam . . . intuemur*, except in relation to the context in Aegidius from which it is taken. What are we to understand by *et benedictione et sanctificatione*? One can hardly blame the translator who refers the words to *decimae* in the previous phrase. Hemmer, in the article in the *Dictionaire de Théologie Catholique*, s.v. Boniface VIII, writes 'Le paiement, la bénédiction et la sanctification des dîmes.' This is in itself a curious phrase; and, moreover, it is not the meaning which the words have in Aegidius.¹ Aegidius is thinking of the blessing and hallowing of kings; and the writer of the Bull has taken over the words without their explanation, and has put them in a context in which that meaning could not possibly be discovered, except by a happy guess, or by reference to the treatise of Aegidius.

A second instance, and one of capital importance for the sound interpretation of the Bull, is found in the words, 'Nam, veritate testante, spiritualis potestas terrenam potestatem instituere habet, et judicare, si bona non fuerit.' What is the meaning of *instituere habet*? Many theologians and historians have seen in these words merely the enunciation of the *potestas directiva*. But the Bull is here proclaiming that the temporal power owes its existence to the spiritual. Hugh of St. Victor writes: 'Nam spiritualis potestas terrenam potestatem et instituere

¹ Cf. Scholz, *op. cit.*, p. 48; Rivière, *op. cit.*, p. 398.

habet ut sit, et judicare habet, si bona non fuerit.’¹ Here the addition of *ut sit* makes it impossible to understand the words of a mere right of teaching, or direction; Hugh teaches that in its origin the temporal is dependent on the spiritual. Now, Aegidius, whose doctrine on this point is identical with that of Hugh, is not afraid to head the chapter dealing with this question ‘quod spiritualis potestas instituere habet terrenam’; and yet the chapter explains the doctrine in the clearest terms according to the teaching of Hugh. There can, therefore, be no reasonable doubt that the Bull is teaching the same doctrine in an equally elliptical phrase. Nor can it be objected that, since the term *ut sit* is in Hugh of St. Victor, and is left out by Boniface, who must have been acquainted with the work of Hugh—nay, must have written with that work before him—it is clear that the omission was deliberate, and proves that Boniface did not wish to go as far as Hugh. In itself this argument is of some weight. But, in the present circumstances, it cannot be maintained. For Boniface was working, not only with Hugh, but also with Aegidius before him. And Aegidius, as we have seen, did not hesitate to omit the phrase *ut sit* in his brief enunciation of the thesis of Hugh. The absence, therefore, of the phrase in the Bull cannot be urged as a proof that Boniface was teaching a doctrine other than the doctrine of Aegidius and Hugh.² We have here but another example of a phenomenon which we have noticed before, viz., the wresting of a phrase from its context, with the result that its meaning in the Bull is obscured.

Let us turn now to what is, after all, the main question for the theologian, viz., the dogmatic interpretation of the Bull. What does the Pope here teach with regard to the

¹ *De Sacramentis*, ii. pars. 2, c. 4 (Migne, 176, 418).

² It must be noted, however, that M. Rivière’s interpretation of Hugh’s doctrine is not beyond dispute, even if expressed with no little emphasis, e.g., pp. 28, 29, 399. The view of Jungmann (*Dissertationes Selectae* (1885), vi. 60 foll.), appears to be based on a closer study of the context of the passage in question. We cannot here discuss the matter in detail; in any case, and apart from the phrase *instituere habet*, the general teaching of Boniface remains clear.

relation of Church and State? Taking as our guide the famous distinction systematized by Bellarmine, we may begin by asking: does the Bull teach the *potestas indirecta*? This is the opinion of Bellarmine himself. When answering the argument of those who, from the text of Luke xxii. *Ecce duo gladii hic*, argued that the Pope has two swords, Bellarmine says: 'Porro S. Bernardus et Bonifacius Papa mystice interpretati sunt hunc locum, nec volunt dicere eodem modo habere pontificem gladium utrumque, sed alio et alio, ut postea exponemus.'¹ He later explains as follows: . . . 'et hoc modo intelligenda sunt verba, S. Bernardi lib. 4 de Consider et Bonifacii VIII in Extrav. *Unam Sanctam* De major et obed, ubi dicunt, in potestate Papae esse utrumque gladium. Volunt enim significare Pontificem habere per se et proprie gladium spiritualem, et quia gladius temporalis subjectus est spirituali, posse Pontificem Regi imperare aut interdicerere usum gladii temporalis, quando id requirit Ecclesiae necessitas.'² Hergenrother³ and the writer of the article on Boniface VIII in the *Dictionnaire apologétique* take the same view.⁴

Whatever might be said in favour of this interpretation of the metaphor of the two swords, a consideration of the whole Bull must lead us to the conclusion that Boniface taught much more than the *potestas indirecta*. In the first place, when Boniface writes: 'In hac (Ecclesia) eiusque potestate duos esse gladios, spiritualem videlicet et temporalem . . . ' is it not at least arbitrary to interpret him as saying that the Pope has *per se et proprie* the *gladius spiritualis*, and to restrict his rights with regard to the temporal sword to the power of determining the use of that sword in another's hand? 'posse pontificem regi imperare aut interdicerere usum gladii temporalis.' Boniface means that *both* swords are the Pope's, and equally so 'Uterque ergo est in potestate Ecclesiae.' It is only after stating

¹ *De Rom. Pontif.* v. c. 5. (Rome, 1832. *Controversiae*, vol. i. p. 787).

² *Ibid.* c. 7 (*ibid.*, p. 794).

³ *Katholische Kirche und christlicher Staat* (Freiburg im Breisgau, 1872), p. 305.

⁴ s.v. Boniface VIII (Vol. i. col. 430).

this fact in such unambiguous terms, that he goes on to lay down the principles governing their use.¹ But there is something much more decisive than this. We read in the Bull, as a proof that ‘*Oportet . . . gladium esse sub gladio*’ the following words: ‘*ex ipsius potestatis acceptione . . . nam . . . spiritualis potestas terrenam . . . instituere habet.*’ As we have already pointed out, these words mean that temporal power owes its origin to the spiritual.² Again, we read: ‘*Ille sacerdotis, is manu regum et militum, sed ad nutum et patientiam sacerdotis.*’ Here, also, Boniface is consistent with himself. The employment of the temporal sword is regulated in accordance with its origin; it is really a sword belonging to the spiritual power; it must be used, therefore, *ad nutum et patientiam sacerdotis*. It is impossible to construe these words as a declaration that the Pope possesses only *potestas indirecta*.

The teaching of Boniface is clear. The two swords are the Pope’s, but the temporal is delegated to the temporal power. The latter is simply an agent of the Pope. He must use his delegated powers in accordance with the intentions of him who gave them. The two powers are thus distinct; but the temporal is subordinate to the spiritual. This subordination is manifest in the fact that it owes its origin to the spiritual, that it must be used for the Pope or at least under his direction, and that it can be judged by the Pope. Such a theory cannot be called a theory of *potestas indirecta*.

Must we then say that the Bull teaches the theory of *potestas directa*? That this was the personal view of Boniface, and that this was the teaching of the Bull can hardly be questioned.³ We have seen that the writer responsible for the drawing of the Bull has based himself on the *De ecclesiastica potestate* of Aegidius Romanus. Further, the

¹ Manning, *Vatican Decrees* (1875), p. 66, writes: ‘It [the material sword] is in the Church, because he that bears it [i.e. the king] is in the Church’ (brackets ours). Surely, a curious instance of forced interpretation.

² But cf. Jungmann, *loc. cit.*, *supra*.

³ Cf. Carlyle, *Mediaeval Political Theory in the West*, Vol. v. p. 374, foll.: and M. Rivière, *op. cit. passim*.

treatise *De regimine christiano* was dedicated to Boniface, and seems to have won for its author, Jacobus de Viterbio, the bishopric of Beneventum. Both these writers were champions of the most absolute power of the Pope¹; although it must be admitted that there are not wanting in Jacobus some indications of a milder theory.² Further, the terms of the Bull are not compatible with the assertion of only a *potesta indirecta*. If we accept this conclusion, we are driven to ask another question: Did the Pope wish to define this doctrine as an article of faith? That the Bull was intended to be an authentic expression of Catholic doctrine, binding on the whole Church, cannot be denied. The circumstances under which it was promulgated, and the terms of the Bull itself, leave no doubt possible on this point. It must, therefore, on Catholic principles, be accepted as an infallible declaration of doctrine. And here we begin to tread on difficult ground; as M. Rivière puts it, we are concerned with 'la subtile jurisprudence des documents pontificaux.' It is, however, an elementary rule of this jurisprudence that not everything in an infallible document is infallible doctrine. The question therefore arises: how are we to disentangle what is infallible doctrine from what is not? In the case before us, the answer is made easy by the very terms of the Bull. Boniface has been careful to mark off his formal definition from accessory matter,³ 'Porro subesse Romano Pontifici omni humanæ creaturæ declaramus, dicimus, definimus⁴ et pronuntiamus omnino esse de necessitate salutis.'

We find it difficult to understand the apparent hesitation of M. Rivière in admitting that the words cover more than the Pope's supremacy in purely spiritual matters. Having quoted the definition he writes: 'Définition dont

¹ Cf. R. Scholz, op. cit., p. 40 (Aegidius). M. Rivière, op. cit., pp. 148, 250, 373.

² Cf. I. E. RECORD, May, 1928 (art. : 'De regimine christiano.')

³ Fessler emphasizes this point in his work against Dr. Schulte (English trans., *The True and False Infallibility of the Popes* (London, 1875, p. 66, foll.) He, however, restricts the meaning of the definition to Papal supremacy in the spiritual sphere.

⁴ The original reads *diffinimus*—a common form.

on sauvegarderait peut-être suffisamment, sinon l'esprit, au moins les termes, en l'entendant du seul pouvoir spirituel . . . A supposer même, comme il est probable, qu'il faille tenir compte des considérations politiques . . . et donc y voir une certaine revendication du Pape en matière temporelle.¹ The assertion of a supremacy in purely spiritual matters would be an impossibly tame ending to the strong words of the body of the document—and, moreover, such spiritual supremacy was never in question between Boniface and his opponents. It is, therefore, clear that we must say that the Bull defines in some sense the authority of the Pope in the temporal sphere. As to the actual formula employed, M. Rivière well says: 'la formule de ce droit (en matière temporelle) est d'une discrétion frappante et qui la laisse compatible avec les interprétations les plus bénignes.'² But not only are the words of the definition singularly restrained; they are also, in a real sense, quite unexpected. The body of the document is concerned with the abstract question of the origin of power, and the subordination which arises as a consequence of the 'institution' of temporal power by spiritual. Boniface is there moving in a field congenial to a lawyer of many years' standing. He is sketching in a rapid manner the root principles of the theories of canonists and theologians who vindicated the fullness of all power for the Pope. Such words as *potestas*, *auctoritas*, *instituere*, are the very warp and woof of his exposition. But, in his definition, these abstract terms are put aside; Boniface is going to deal with hard facts and the realities of the situation. He turns his mind from the theory of *potestas* and *auctoritas* to the relations which exist between the concrete person who rules, and the person who is ruled. Whatever be the truth about the *institutio* of the temporal by the spiritual, and however close or remote be the supervision of the spiritual over the exercise of temporal power, the Pope contents himself with the declaration of a general subjection of every man to the Roman Pontiff. Subjection in the purely

¹ Op. cit., p. 86.

² Ibid.

spiritual sphere raises no difficulties which need detain us here ; subjection in the temporal sphere is compatible with more than one answer to the theoretical questions with which he had occupied himself in the Bull. There is now no mention of *potestas* ; it is the human holder of power whom Boniface sets before us ; and this concretion of his former speculations on power and authority, is further emphasized by the statement that it is every man—not now every and all temporal power—who is thus subject to the Pope. This concrete presentment of his thought he then proceeds to clothe with its juridical vesture—this subjection is *jure divino*. This right is something which is the Pope's, but does not depend on him in any way ; it rests simply on the Will of Christ. It is not, therefore, the result either of the usurpation of the Pope, or of the gift of any temporal power ; nobody can take it away, and nobody should grudge it him.

There still remains the question as to how far this subjection in the temporal sphere extends. It is at least certain that we cannot say that the Pope here defines the *potestas directa*. And, on the other hand, we cannot whittle down the subjection defined to a mere pious but optional acceptance of the claims of the Pope in the temporal sphere : the Pope's claim to submission is based on a right ; subjection to him is a duty—not a concession, or the result of a correct estimate of expediency. But, when we have excluded these two extreme interpretations, we are compelled to confess our inability to arrive at any more specific and, at the same time, certain determination of the subjection in temporal matters here defined by Boniface. General terms with him are of special significance ; as a lawyer, he was quite equal to the task of stating his thought in more precise words. That he sheltered behind the terms which we find in his definition, creates at least a strong presumption that he deliberately refrained from committing himself to a definite theory of the submission which, in fact, he requires. And, in any case, we have no right to interpret his general definition in terms of a particular theory,

on the ground that, in the body of the document, that theory is clearly expressed and taught. Boniface may have written his definition with a theory before his mind; but he did not express it in his definition; for the words of the definition are compatible with various theories as to the grounds and extent of submission to the Pope in the temporal sphere.

We conclude, therefore, that Boniface, in the *body* of the *Unam Sanctam*, certainly taught the *potestas directa*; but in the formal *definition*, while certainly vindicating the real authority of the Pope in the temporal sphere, he does not define anything as to the grounds, conditions and limits of that authority.¹ It will be objected that such a break between definition and the body of the document is unthinkable. But the break is there. As we have pointed out, not only does Boniface clearly mark off his definition by the words ‘declaramus, dicimus, definimus, et pronunciamus,’ but the whole character of the definition is different from the preceding part of the Bull. And, on the other hand, we do concede sufficient connexion between the two parts to justify us in maintaining that the definition must be understood as laying down something more than a supremacy in the purely spiritual sphere.²

R. HULL, S.J

¹Hefele-Leclercq (vi. p. 429), however, seems to hint that even in the definition *potestas directa* is contained. ‘Les interprétations les plus favorables à l’omnipotence pontificale semblent donc ici les plus exactes et les plus conformes à l’esprit des Papes du xiii. siècle.’ Such a view is, as we have seen, unwarranted. What the Pope did define is something different from what he might, or even ought to, have defined.

²We have, in the above, had occasion to refer to Manning’s *Vatican Decrees*. It may be worth while to remind the reader that he will find there (pp. 71-78) a useful discussion of the terminology of the question; cf. also Jungmann, *op. cit.*, pp. 58, 59.

THE ORTHODOXY OF THOMAS HARDY

‘EXTREMA GAUDII LUCTUS OCCUPAT’

BY REV. JAMES O’ROURKE

THOMAS HARDY’S stark view of life, with its tragedy upon tragedy—nay, often tragi-comedy—its hopeless tangle of human destiny, set right neither here nor in an hereafter, can hardly be said to be a broad or whole view of life. His philosophy admits of no optimism. The very incidence of joy or pleasure in his scheme serves only to set him questioning. A mere passing whim of Swinburne affords him a whole philosophy :—

And joy was never sure,
To-day will die to-morrow,
Time stoops to no man’s lure.

Nevertheless, he was a steady gazer. Unflinchingly he regards the tragedy of life, translates and fixes it. It is this paramount sincerity, this undaunted courage, that sets him in the front rank of his age and keeps him there.

It has been said truly that the Poetry of our day is a poetry of home sickness—a term which is but a modern euphemism for religion. This is especially true of Hardy’s verse. Anyone reading deeply of it, and sufficiently often, cannot miss the heart-yearnings after religion which prove Hardy a sincere Christian though a foiled one. The Christianity of the Church of England he found wanting, and made no secret of it. The Christianity of Rome he was drawn towards *naturally*, and so remained *ad extra*. Listen to him as he banters slyly about the doings of Anglican Church Divines in matters of the Sacred Script :—

Since Reverend Doctors now declare
That Clerks and people must prepare
To doubt if Adam ever were ;
To hold the flood a local scare ;
That the Naim Widow’s only heir
Did not return from Sheol’s lair.

Mark his finishing thrust :—

Since this they hint nor turn a hair,
 All churchgoing will I forswear,
 And sit on Sundays in my chair
 And read that moderate man—Voltaire.

Who will doubt here whose is the strict honesty ?

This is, however, but touching the rind of the matter. Here is a voice crying in the wilderness, indeed, and the cry is the old one of Jordan : ‘ Make straight the way.’ He will not, Shelley-wise, lie down and weep away this life of care : nor, like Browning, build a beautiful but false philosophy ; nor be content with the mealy-mouthed creed of Tennyson ; nor yet hurl insults at Divine Providence after the manner of Henley—no, this broken pessimist lies vanquished by his own heart’s desire touching, but not grasping, Truth.

The poetry of Hardy falls into three distinct phases—that of the young man, that of middle-age—the period of the novels and that of the old man and the best poetry. It will be a surprise to many to learn that he began life as a poet. A poet born, he would be a poet made. Though his novels contain the best of his poetical self, yet it was his failure to render this phase of himself in lasting verse that broke and marred him. His orchestration of Nature in his novels gives them their permanence in literature. ‘ Egdon Heath ’ and ‘ Talbothay’s Farm ’ will outlive poetically the unhappy sojourners therein. You will find him more often kneeling at the shrine of Shelley and Keats than wandering in the temple reared by Dickens and Thackeray. Hardy is first and last by his contribution to letters a poet. Yet, in the whole realm of literature it would be difficult to find a young poet so dismally melancholy. In his poetical year he reversed the seasons. His spring is but a blank winter, and to the wonder of the world the winter of his life has blossomed like the rose. Like his ‘ darkling thrush ’ his was a ‘ full-hearted evensong of joy illimited.’ In his first volume, *Wessex Poems and other Verses*, you will search in vain for a shred of true poetry. The only thing that

saves it from oblivion is that its maker wrought in a sad sincerity. Poem after poem, dealing with [to him] the enigma of existence and of religion, show how heavily this neophyte of the Muses felt :—

The burthen of the mystery,
 the weary weight
 Of all this unintelligible world.

Strange is it, indeed, that he who stept so featly into the world of pastoral romance in his early novel *Far from the Madding Crowd*, was during his early prime so poetically dumb. Yet such is the fact. In his early poetry the time for him is out of joint, and Hamlet's lament is ever on his lips :—

And cursed spite
 That ever I was born to set it right.

His first volume contains a poem that touches the nadir depth of hopeless unbelief in human destiny. About it clings something of the truth and of the repulsion of a futurist cartoon. The subject is a Lunar Eclipse :—

Thy shadow, Earth, from Pole to Central Sea,
 Now steals along upon the Moon's meek shine,
 In even monochrome and curving line
 Of imperturbable serenity.

How shall I link such Sun-cast symmetry
 With the torn troubled form I know as thine,
 That profile, placid as a brow Divine,
 With Continents of moil and misery ?

And can immense Mortality but throw
 So small a shade, and Heaven's high human Scheme
 Be hemmed within the coasts yon arc implies ?
 Is such the Stellar Gauge of earthly show,
 Nation at War with Nation, brains that teem
 Heroes, and women fairer than the skies ?

Schopenhauer and von Hartmann have done their work with him ; but we must confess here is a voice as consummately articulate in the realm of realism as his great ancestors in song have been in the realm of romance. The sad emotional key of his song never varies. The poet in

him cannot forego the lovely cadences of sweetly-flowing lyrics, yet even these are made the vehicle of weighty theological questionings. This limpid lyric will show my drift :—

I said to Love
 ‘It is not now as in old days
 When men adored thee and thy ways
 All else above ;
 Named thee the Boy, the Bright, the One
 Who spread a Heaven beneath the Sun,’
 I said to Love.

I said to Love,
 ‘Thou are not young, thou art not fair,
 No elfin darts, no cherub air
 Nor swan, nor dove
 Are thine ; but features pitiless
 And iron daggers of distress,’
 I said to Love.

On and on, in ever-widening crescendo of wailing unbelief, soars the sad song of this latest heir of all the ages, until the climateric is reached in a poem that out-Henleys Henley in blatant blasphemy :—

Has some vast imbecility,
 Mighty to build and blend,
 But impotent to tend,
 Framed us in jest, and left us now to hazardry ?

Yet, to this succeed lines that the Seraph St. Thomas might have taken for a compendium of his mighty *Summa* :—

Or is it that some high plan betides,
 As yet not understood,
 Of evil stormed by good,
 We the forlorn hope over which achievement strides ?

Though these be but perchance answerings which he will not sponsor, yet, to borrow from another poet, ‘the windward swayings of their feather prove them the brood of immortality.’ It is easy to indulge the seeming blasphemies of one whose honesty cannot be impugned. In his poem, ‘The Impercipient,’ he redeems himself utterly. If to this strict honesty of speech were added the gift that is from above, this ‘Impercipient’ would have been a pillar of

percipience to his many co-religionists. We must quote in full:—

That with this bright believing band
I have no claim to be,
That faiths by which my comrades stand
Seem fantasies to me,
And mirage-mists their shining land,
Is a strange destiny.

Since heart of mine knows not that ease
Which they know; since it be,
That He who breathes All's well to these
Breathes no All's well to me,
My lack might move their sympathies
And Christian charity.

Yet I would bear my shortcomings
With meek tranquility,
But for the charge that blessed things
I'd liefer not have be,
O, doth a bird deprived of wings
Go earth-bound wilfully.

In this last couplet he has sounded the diapason of the misery of unbelief.

In *Poems of the Past and Present*, which conclude his early period, we find a poem to the 'Unknown God' wherein he acknowledges:—

That listless effort tends
To grow percipient with advance of days,
And with percipience mends.

This we find true of his middle period and more true of his last decade. Though the fog-horn of cloudy unbelief is heard now and then, yet it is but the harbinger to halcyon skies. Not, indeed, that the mirage mists entirely lift, to discover a Shining Land, but the note of hope is somehow more triumphant. The opening verses of 'Moments of Vision,' which mark his middle career, stand in striking contrast to anything we have had from the younger man. The religious note has become authentic:—

That mirror
Which makes of men a transparency,
Who holds that mirror
And bids us such a breast bare spectacle see
Of you and me?

That mirror

Whose magic penetrates like a dart,
Who lifts that mirror
And throws our mind back on us, and our heart,
Until we start?

That mirror

Can test each mortal when unaware ;
Yea, that strange mirror
May catch his last thoughts, whole life, foul or fair,
Glassing it—where ?

This convinced religious mood, blent with a wistful sadness as of an outcast from the temple, continues with misgivings at times, no doubt ; but the continuity is unbroken. Verses such as the following mark the steps of his ascent on the upward grade :—

Blankly I walked there a double decade after,
When thwarts had flung their toils in front of me,
And I heard the waters wagging in a long ironic laughter,
At the lot of men, and all the vapoury
Things that be.

Wheeling change has set me again standing where
Once I heard the waves huzza at Lamas-tide ;
But they supplicate now—like a congregation there
Who murmur the confession. I outside,
Prayer denied.

Such is the ‘Voice of Things’ for him in maturity. What a glow of warmth his dim beliefs can assume when he remembers the creed of his childhood! In the ‘Oxen’ we have a smothered cry for the old beliefs, so intense that it sounds strange in a sometime Anglican, did we not remember the ‘angel faces loved long since,’ of Newman :—

‘Christmas Eve, and twelve of the clock.

Now they are all on their knees,’

An elder said, as we sat in a flock
By the embers, in hearthside ease.

We pictured the meek mild creatures where

They dwelt in their strawy pen,

Nor did it occur to one of us there

To doubt they were kneeling then.

So fair a fancy few would weave

In these years! Yet I feel,

If someone said on Christmas Eve,

‘Come ; see the oxen kneel,

In the lonely barton by yonder coomb
 Our childhood used to know.'
 I should go with him in the gloom,
 Hoping it might be so.

Nobody better than Hardy demonstrates how clearly knit are religion and poetry. The great sorcery of Spring weaves for him magic as ecstatically religious as it is beautiful. To him no less than to his more blessed compeer, Francis Thompson, the light of Spring is but a flashlight of another Spring. The note is not the jubilant one of Thompson, but its frank sincerity leaves no doubt as to the poet's soul stirrings :—

The Spring blew trumpets of colour ;
 Her green sang in my brain—
 I heard a blind man groping
 'Tap-tap' with his cane ;

I pitied him in his blindness ;
 But can I boast 'I see ?'
 Perhaps, there walks a spirit
 Close by, who pities me—

A spirit who hears me tapping
 The five-sensed cane of mind,
 Amid such unguessed glories—
 That I am worse than blind.

In his last phase the poet is triumphant. At last the day-spring from on high has come upon him. Amid the authentic airs of Paradise, that blow around these last verses, the raucous note of the sceptic, though heard at times, is subdued to a whisper. Here, where abound lyrics sealed of the Muses, as 'Weathers,' 'Going and Staying,' 'You would stray Roses,' little room is left for the old questionings. With the increase of poetry, religious hope has increased also. Happily, indeed! The last taste of sweets is sweetest last, and the renewed hope and trust of this saddest singer of our days remains 'writ in remembrance.' Far removed from the night of his early despair is such a poem as 'Survivew.' The arrogance of the young man has passed, and he emerges from the broil of

the years chastened and subdued. Like the friends in his verses :

Herodotus and Homer—Yea,
Clement, Augustine, Origen,
Burnt brighter towards their setting day.

So, too, he. 'Survivour' gives us the true, the ultimate Hardy, that has lain awake, deeper than did ever plummet sound, beneath these musings and these murmurings :—

'You held not to whatever was true,'
Said my own voice talking to me ;
'Whatsoever was just you were slack to see ;
Kept not things lovely and pure in view,'
Said my own voice talking to me.

.

'You taught not that which you set about,'
Said my own voice talking to me ;
'That the greatest of things is Charity,'
And the sticks burnt low and the fire went out
And my voice ceased talking to me.

Such is his 'Apologia pro vita sua.' Add to this the love that he cannot conceal for the old, old creeds, and you will find something of a Hardy that the world hath not known :—

How sweet it was, in years far hied,
To start the wheels of day with trustful prayer,
To lie down liegely at the eventide
And feel a blest assurance He was there !

And who or what shall fill His place ?
Whither will wanderers turn distracted eyes
For some fixed star to stimulate their pace
Towards the goal of their enterprise ?

Though these be the sentiments of the human show that he is watching, yet these, too, are his own :—

I could not buoy their faith : and yet
Many I had known ; with all sympathized ;
And though struck speechless, I did not forget
That what was mourned for, I, too, long had prized.

This 'greatest of the moderns,' as he has been styled, is on a pinnacle by himself. He will none of the 'rake-Hell

Muses' of modern literature, and his sublime confidence in life's seriousness is re-assuring in these days when we tread so often on golden but shifting sands :—

For is one moonlight dance, one midnight passion,
A rock whereon to fashion
Life's citadel ?

Prove they their power to prance
Life's miles together,
From upper slope to nether
Who trip an ell ?

By way of epilogue let us state here what will come as news to many. The Church of his fathers Hardy found wanting ; that of Rome held him captive. But let him speak for himself :—

Since the historic and once august hierarchy of Rome some generation ago lost its chance of being the religion of the future by doing otherwise, and throwing over the little band of New Catholics who were making for continuity by applying the principle of evolution to their own faith, joining hands with modern science, and outflanking the hesitating English instinct towards liturgical restatement (a flank march which I, at the time, expected to witness, with the gathering of many millions of waiting agnostics into its fold).

This is no dialectical quotation out of its context. The New Catholic Movement, that is Modernism, would have suited him, but clearly not a Modernism rejected of that ancient City on the Hill.

Any reader of the apology to *Late Lyrics and Earlier* will find other evidences to add to this. They will find there also one who was ever ready to rise above the Positivism and Anglicanism and (to him) mere truncated Romanism of his day. Yea, one who had ever on his lips the cry : ' O ! that 'twere possible.'

JAMES O'ROURKE.

SKETCHES IN INDIAN LIFE AND RELIGIONS—VIII

HINDUISM, ANCIENT AND MODERN

By REV. THOMAS F. MACNAMARA, S.S.J.

SOME HILL TRIBES OF SOUTHERN INDIA

Tribes which a few years ago were living in a wild state, clad in a cool and simple garb of forest leaves, buried away in the depths of the jungle, living, like pigs and bears, on roots, honey, and other forest produce, have come under the domesticating, and sometimes detrimental influence of contact with Europeans, with a resulting modification of their conditions of life, morality, and even language.—Thurston : *Castes and Tribes in Southern India*, xv.

THE Anthropologist or Physiologist intent on obtaining first-hand knowledge of the hill tribes of Southern India has a special difficulty to overcome. Timorous natives everywhere look upon anthropometric instruments as a delusion and a snare. A native with a guilty conscience will regard the height measurement as a preparation for the gallows ; while the rumour will spread like wild-fire from village to village that the white man has come to catch the finest female specimens for his collection. The untimely death of a native while the white stranger is taking measurements of head, chest, and foot will be instantly attributed to the Evil Eye, and all will scurry away, and hide in fear and trembling, till he has departed. The geniometer for estimating the facial angle is particularly hated in India, for it has to go into the mouths of caste and non-caste, and must be taken to the tank (or reservoir) —not always at hand, to be purified after *each* application.

There are many views and much speculation among Scientists as to the origin and place in nature of the indigenous tribes of Southern India. Bishop Caldwell, the distinguished philologist, was the first to substitute for the term Tamulic, the term Dravidian (Sanskrit, Dravida,

South) for the people occupying the southern portion of the Indian peninsula, i.e., the Deccan (dakshins, south) of the old Anglo-Indian writers. The name Tamil is reserved for that language.¹

Huxley divided the races of mankind into two primary divisions: the one, with crisp or curly hair, the other with smooth hair (*heiotrichi*). In this latter group he placed the Australians and the Dravidians.²

Topinard divided the population of India into three strata: the black, the Mongolian, and the Aryan. Among the remnants of the first stratum he numbered the Yanadi, Kurumbas, and other aborigines of the Nilgiri mountains, thus agreeing with Huxley. 'The existence of the boomerang in the two countries and some remnants of caste in Australia, help to support this opinion.'³ In the Madras Museum can be seen a few specimens of the South Indian boomerang. Linguistic resemblances between the two races have been pointed out by Norris, Brecks and Caldwell. 'Investigations in relation to race,' writes Thurston, 'show it to be by no means impossible that Southern India was once the passage-ground by which the ancient progenitors of the Northern and Mediterranean races progressed to the parts of the globe which they now inhabit.'⁴

But this theory, which would link the aborigines of Southern India with those of Australia, is not accepted by Sir W. Turner, a more recent and considerable authority, who writes: 'The comparative study of the characters of the two series of crania has not led me to the conclusion that they can be adduced in support of the theory of the unity of the two people.'⁵

It may be that the jungle tribes of Southern India are a small remnant of a pre-Dravidian people, or, as some think, a remnant of early Dravidians, driven into the jungles by a conquering race.

¹ Cf. *A Comparative Grammar of the Dravidian Languages*.

² *Anatomy of the Vertebrated Animals*.

³ *Anthropology*, Chap. viii.

⁴ *Castes and Tribes of Southern India*, xxxiii.

⁵ *Contributions to the Craneology of the People of the Indian Empire*, Part ii.

THE TODAS

The Nilgiri, or Blue Mountains in the Madras Presidency, the territory of the Todas and other hill tribes, are formed by the converging of the eastern and western Ghats, the respective boundaries of that great triangular table-land known as the Deccan. The climate of these hills is, perhaps, the finest within the tropics. For nine months of the year it is simply delightful, with the temperature never below 50, nor, on the hottest days, above 75 degrees. Hence, the Madras Government has made Ootacamund ('Ooty'), the highest municipal town in India, 7,400 feet, its headquarters for half the year. The scenery of the Nilgiri plateau, 42 miles long by about 10 miles broad, the home for centuries of those aboriginal tribes, whose peculiar customs we shall recount, is magnificent. Grassy undulating hills, reminiscent of the downs at home, divided by narrow valleys, each with its streamlet, are a marked feature of the interior of the plateau. In the hollow of the hills nestle small woods, called *sholas*, where game, large and small, shelter. The air of India, when breathed at an elevation from six to eight thousand feet, is purity and freshness and life itself; and nowhere does it combine these attributes in a higher degree than on the Nilgiri hills.¹ There one hears for the first time, perhaps, since one left the homeland years before, the blackbird, the thrush and the lark; there grow to forest height the heliotrope, azalea, myrtle, mangolia, and other flowering shrubs remembered with a sigh.

From ramparts which look down upon the plains of the Carnatic on the east, to those which overhang the coast of Malabar on the west, six hundred miles of rolling table-land lie open to the traveller. There are parts of this paradise on the eastern ramparts, from which, in gardens hung with jasmine, one can sit and look down from a clear and bracing atmosphere, upon a hundred miles of the fever-quivering plains of Southern India seven thousand feet below.

Such is the habitat of the Todas, with its 'sweet, half-

¹ By Anglo-Indians even the Himalayas are called 'hills.'

² Cf. Sir William Butler, *Autobiography*.

English air.' To this pleasant plateau, only eleven degrees from the Equator, now return, to end their days in Anglo-Indian comfort, many a military officer or civil servant, who has sampled for a space the advertised amenities of a Bath or a Bournemouth, and found them cold and clannish.

As suggested, the origin of the Todas has yet to be discovered, for, like the barrows and cairns of the Nilgiris, it lies buried among the secrets of the past. The Todas are a remarkably handsome and stalwart tribe, with Roman profiles, beautiful teeth and large, full, expressive eyes. Generally, Toda men allow their jet-black hair to grow in curly locks, which they anoint with ghi. Only in recent times have their chief men donned the turban in imitation of Hindus, who come to live on the hills. A Toda is easily distinguished from the other tribes of the Nilgiris by the remarkable development of the pilous or hairy system. They grow luxurious beards, with hair thickly developed on the chest and abdomen, shoulder-blades and arms. This profuse development they attribute to much milk-drinking.

In addition to a loin cloth, the men wear a sheet of white calico, or a blanket, somewhat in the manner of a Roman toga. Among the Todas, the male sex is the fair sex, as among the Maoris. Some of the women are really handsome, with bright glistening eyes, *café-au-lait* complexions and long raven glossy ringlets, which they 'put in paper' overnight, as our sisters used to do, once upon a time, at home. But good looks and good complexions are short-lived in India. Some of the elder ladies are ugliness personified. Unlike Badaga women (of whom more anon), Toda women do not till the soil, but spend their time in lounging and buttering their tresses. On the approach of a white visitor they and their children crawl out of their huts and clamour for inan (pence).

But, despite their fine physique, the Todas are a decadent race, the reasons for which are matter for conjecture. Polyandry and infanticide are by some observers made to account for their dwindling numbers. On one occasion

‘Salter’s Hand-dynameter registered 73 lbs. in the grip of a “big bony female who became the unlovely heroine of the moment.”’ The largest unprofessional English female hand grip is about 66 lbs. One Toda man registered 103 lbs.

The abode of the Todas, usually built on commanding ground near forest land, is called a Mand. It consists of a few huts of peculiar build, with one for a dairy and one for young cattle, the whole enclosed by a stone wall. The dwelling huts are half-barrel shaped, stoutly boarded at each end and measuring about eighteen feet long, ten feet high in the centre and nine feet broad. They are roofed with bamboos placed closely and covered with thatch to the ground at each side. The entrance is a door about eighteen inches square through which one has to crawl into darkness and dirt. When the family is within, the door is securely fastened by a sliding plank five or six inches in thickness. Besides the door there is but one other opening—a hole in the roof to let out smoke. In this ‘apartment’ the whole family huddle together. The only furniture consists of buffalo skins and straw placed on mud divans, which run the length of one side of the house. On the other side are the earthen fireplace, a few brass cooking pots and bundles of firewood. A hasty glance with torch light or match and the ‘privileged visitor,’ half choked with pungent smoke and malodour, eagerly crawls out again.

Dr. Rivers, an authority on things Toda, writes: ‘The low sexual morality of the Todas is not limited in its scope to their relations within the Toda community’¹; while Dr. Shortt blames the Europeans for introducing disease and intemperance among this and other hardy hill tribes. For the most part Todas lead a simple pastoral life. The men, who herd large numbers of semi-domesticated buffaloes, are seldom seen at home by day, for they wander freely with their herds over the Nilgiri hills, of which they are the aborigines—honest, brave, inoffensive, and content to the verge of indolence, exercising an overlordship which

¹ Cf. *The Todas*, 1906.

is fully admitted by neighbouring tribes of Badagas, Kotas and Kurumbas, and even by the British Raj—with reservations. Toda lands are now considered the inalienable common property of the Toda community, which, however, they may not sell; the Government allows Rs. 1,800 a year (about £120) as compensation for any interference with their pastoral rights round Ooty.

The Todas depend largely on buffalo produce, milk and butter; but nowadays they sell some to buy other edibles and commodities in the Ooty shandy or weekly market. Their cream and butter are simply delicious and very white, due in part to cotton seed feed.

A Toda's wealth consists in the number of buffaloes he possesses. When told that the Prince of Wales (King George), who visited India in 1904, was very wealthy, and had a retinue of two hundred, one tottering old Toda remarked, 'Yes, yes, but how many buffaloes has he—tell me that?' Their buffaloes entertain a strong prejudice against white men, as members of the Ooty Hunt and their mounts sometimes learn to their cost. On one occasion the writer and a fellow-missionary had to 'get a move on' and bike briskly before a charging herd of these large-horned, ungainly, but by no means slow-footed beasts. The road across the Ooty downs is, or used to be, for long stretches, quite free of fencing, so that it behoved one to go warily when buffaloes were about. Not infrequently Toda athletes, whose duty and doubtful privilege it is, on occasion of a feast or a funeral, to capture and drag to the slaughtering place one or more of these infuriated beasts, get badly bruised or dangerously ripped by their long horns.

Each Mand has its own herd of buffaloes. Besides the domestic dairy, common to each Mand, there are special structures, conical in shape, built of stone, and known to the Europeans as 'Toda Cathedrals.' To these are attached sacred herds.

The heads of the Toda priesthood, of which there are five grades, are called 'Palals,' who, while in office, must live celibate lives. They may not visit their homes or

villages, or cross a river but by certain fords. To them river water is sacred and not to be used for any purpose. The duties of the Palals are : to open the cattle pens and send the cattle to graze in charge of one of the minor clergy ; to perform worship to the Bell-cow god ; to salute and milk the herd on its return ; to make and sell butter and to settle disputes.

An elaborate Dairy Ritual is the chief religious institution of the Todas. Their religion is a system of distorted Theism. They salute the sun on rising ; worship Kaduval, creator of earth and sky, to whom they pray night and morning ; they reverence the hunting-god, Balakin, and the Bell-cow god, Hiriadiva. Of late years they have begun to imitate some of the religious practices of the Hindus, now becoming numerous on the Nilgiris ; but generally speaking neither Hindu nor Christian practices find favour in their sight.

Dr. Rivers denies that Polyandry is dying out among the Todas, and supports his statement with genealogies which he has compiled with much patience. Polyandry is as prevalent as ever, he writes, but owing to the increase in the number of women, consequent on the decrease of infanticide, punishable by Anglo-Indian Law, it is now associated with Polygamy. When a Toda girl is married, she becomes the wife of all her husband's brothers, and sometimes, if there are no brothers, then of one or more clansmen as well. Thurston tells us that the Todas of Ooty assured him that Polyandry did not exist among them, but that the jungle Todas of Pikara practised it ; when, however, he visited the latter, he was assured that none of their women had more than one husband, but that Polyandry prevailed in Ooty.¹

Some observers ascribe the dwindling Toda population to this baneful practice. Doubtless it is a factor, but not the only one, for infanticide is not unknown, even in these days, though difficult to bring home in the matter of guilt among such a tribe. Dr. Rivers remarks, ' there is no doubt,

¹ Cf. *Madras Museum Bulletin* : ' Anthropology.'

that in former days Polyandry was associated with female infanticide, and it is probable that the latter custom still exists to some extent, though strenuously denied.'

On this subject an aged Toda expressed himself to Colonel Marshall thus :—

I was a little boy when Mr. Sullivan (about 1820) came to these hills. In those days it was our custom to kill children. I don't know whether it was wrong or not, but we were very poor, and could not support many children. . . . Boys we never killed. We did not kill to please any god, but because it was our custom.¹

Female children, after the first or second, were killed by suffocation. The supposition of female infanticide, says Pennet, by accounting for the great disproportion in the number of the sexes (453 to 354 in 1901) brings the Todas into harmony with what is known as the rest of mankind.² 'The lack of encouragement' which the practice receives from the Indian Government tends to make the perpetrators of this unnatural crime extremely secretive. It is, however, gratifying to learn from statistics, that the numerical proportion of the males has been steadily sinking during recent years, owing, probably, to the check of foreign intercourse and punitive measures.

A detailed account of Toda marriage ceremonies would but shock pious ears. When 'a marriage has been arranged,' the bridegroom elect gives a cloth, and salutes the parents and brothers of the bride by stooping and placing their feet alternately on his head. The bride, too, stoops and, with face to the ground, places the right and then the left foot of her husband-elect on her head. Infidelity among the Todas is compensated for by the fine of a buffalo or by divorce. In the event of a girl dying before marriage, a small boy is made to go through a form of marriage with her corpse. He places in the cloth of the dead girl a certain shrub and grass together with limes plantains, rice, jaggery and butter; and, wrapped in his own long cloth, seats himself outside the dead-hut, where

¹ Cf. *A Phrenologist among the Todas*.

² *Proc. Cambridge Phil. Soc.* (1904).

he is watched through the night by relations and friends. If the corpse is that of an unmarried boy, a girl is selected for the *post-mortem* marriage. Paternity presents no difficulty to the Todas, though its proof would not satisfy one of His Majesty's Judges. The ceremony is called the giving of the bow-and-arrow. At full moon the prospective mother and the brother who wishes to be known as the father, go to a shola with their friends, where, seated under the kiaz tree, the husband presents the wife with a mock bow-and-arrow, with which she reverently touches her head. By this simple ceremony the man is declared the father of her child, and so binding are the consequences that should he die and other children be born to the woman by his brothers, they will be known as and named his children.

The most elaborate of Toda rites are connected with death and burial, but, unlike other of their ceremonies, these may be witnessed by strangers; hence, many of these ceremonies have been described, often inaccurately, by casual comers from the plains. Rivers and Thurston, however made it a painstaking business to observe and record Toda customs and ceremonies, and their work cannot be neglected by anyone wishing to learn something about these interesting aborigines.

At birth the face of a male child is wrapped in cotton cloth for three months, when the ceremony known as the Opening of the Face takes place at the sacred dairy.

Branding as a curative agency is common in Southern India and Toda women are branded in four places before the birth of a child.

Todas have two burial ceremonies, the Green and the Dry. At the Hase Kedu, the Fresh or Green funeral, a procession of all the inmates of a Mand is formed and the corpse, placed on a ladder-like bier, is borne on the shoulders of four strong men, preceded by a Kota band, to the vicinity of a specified shola, where it is deposited on the ground, face upwards. Relations carry parcels of food-stuff, and firewood for the pyre. Then the corpse is

saluted by men, women and children amid manifestations of great grief—real on the part of near relations, quite ceremonial on the part of the rest. Next, a few of the young men set off to capture a buffalo for the sacrifice. They drag it with difficulty—and not without danger—before the temporary hut wherein the the corpse has been laid. Here the infuriated animal is despatched with an axe, while the Kota musicians discourse dismal music. Next, the body is brought out and its feet are placed between the horns of the dead buffalo, round whose neck a chain or a bell has been hung. But Toda funeral rites are not quite uniform. Sometimes three buffaloes are kralled the day before the funeral, and at the funeral they are blindfolded and led or dragged to the corpse, where the side of one is cut open, and its blood sprinkled over the dead Toda. The animals are then slain and handed over to the Kotas, who, like vultures, hang round the place. The body is next taken into the shola and placed on the pyre, which is set alight by fire made by the friction of two sticks. But nowadays bazaar matches are used, except in the dairy rites and funerals of males. After the burning of the body, the skull, or part of it, is recovered and wrapped in the bark of the tud tree, and taken to the hut of a relative till the second funeral takes place. At the second or Barakadu funeral, after much lamentation of women and men standing apart, the skull is produced, reverently anointed with ghi, and placed on a cloth on the ground. Then, amid scenes of the wildest excitement, the men kneeling before it make obeisance and touch it with their foreheads; likewise the women and children. Next, a buffalo is fetched and slain, and men, women, and children jostle each other in their eagerness to salute the carcase by placing their hands between the horns. During this ceremony all weep and mourn. The obsequies conclude with the burial of the relics and ashes of the dead within a circle made of stones.

Dr. Rivers had translated for his book, *The Todas*, a Portuguese MS. preserved in the British Museum. It is

an interesting account written by Father Yacome Finico of his visit to Todamana (Nilgiris) and his conversations through an interpreter with Todas he found there. The good Father begins: 'Thank God I am returned from Todamana through great labour and little satisfaction.' These words, written by a missionary three and a quarter centuries ago (1602)—great labour, little satisfaction—are in truth the lament and the measure of all subsequent missionaries, Catholic and Protestant, Christian and Hindu, who have sought to win the Todas. The Father tells of the 'Todas' 'amazement' at seeing a white man, and how he had to uncover his arm to convince them that his colour was natural. He describes many of their customs. They have not changed to this day. He expressed his conviction that this peculiar people was not ripe for conversion, and advised his Bishop that with but few priests and much work at the coast (Calicut) this distant and doubtful mission should not be undertaken.

Metz, of the Basil Mission Society, spent some twenty years, about the middle of the last century, trying to convert this and other hill tribes, but his success among the Todas was negligible. That, practically, is the sad record of any missionary endeavour to this day. True, a few mission schools have been established on the hills, to which come a few Toda children to learn Tamil and 'tell prayers,' and a few baptisms of Toda females have been recorded; but in addition to their own peculiar vices, there are now the imported vices of civilization round about them on the hills, to obscure the Light of Christianity from this remnant of a fine primitive race.

THOMAS F. MACNAMARA, S.S.J.

[To be continued.]

ATTENTION AT THE DIVINE OFFICE

BY REV. DAVID BARRY

THE question of the dependence of prayer on attention has been so long a matter of discussion in the schools, and has been so ably treated, both under the devotional and psychological aspects, that no one would expect more from me than an impartial, orderly, and fairly clear presentation of the points at issue, and of the arguments by which the authorities support their respective positions. As a preliminary, with a view to a clearer appreciation of these, it is necessary to bear in mind the vital distinction between *attention* and *intention*; although, as they interact to such a degree, it is at times, unfortunately, far from being easy to do this.

The intention of praying, then, is an act of the *will*, the term or object of which is a determination or purpose to present our thoughts and affections before God. As such it is clear that in its initial stages, at least, it must be accompanied by the attention or advertence of the *intellect* to the objects about which, or for which, we wish to pray, as well as to the method of making them known to God. And I believe, as we shall see later, that the real point of the dispute between those who require internal attention as an essential element of prayer, and those who do not, is whether, when attention ceases at some period of the process, e.g., of saying one's Office, the intention formed at the beginning automatically ceases with it. No one, of course, would hold that any prayer worthy of the name could subsist without being directed and, as it were, sustained and energized by some kind of intention. For without this, which really means without volition, our acts are merely mechanical and, for merit or spiritual worth, are not a whit above those of unreasoning beasts.

This is the cause why everyone agrees that when pre-occupation about *external* affairs that supervenes on the purpose of praying, reaches a certain degree of intensity, it may wholly oust this from the mind. Thus, a person who formed the intention of saying a prayer, and in the course of carrying it into execution, began to read an interesting novel, or to solve an intricate mathematical problem, or to engage in some physical exercise of so dangerous a character as to require full mental concentration, has plainly eliminated prayer from his thoughts and will, and substituted something else for it. And this is true, even though he has not formally, of set purpose, and in express terms, revoked his previous pious purpose.

Such a one, in the language of theologians, is declared not to have even *external* attention. Though, indeed, this terminology is not, theoretically, very correct, inasmuch as attention is essentially and characteristically an act of the mind¹; and so there is not one species of it that is external and mechanical, and another kind internal. However, what the authors mean by the expression is that the faculties of the person in question have become occupied with some attraction external to them, attention to which is inconsistent with the preservation or active existence of the spirit of worship in any worthy form.

There is another expression, too, in this department of theology, which, though it has the sanction of such great authorities as St. Thomas and Suarez,² is not, it seems to me, very happy or illuminating, and I venture to say is calculated to blur or conceal the distinction between attention, and intention. I refer to the use of the words *virtual attention*. Now, although 'virtual,' as applied to intention, has a useful, necessary and universally recognized function, in the language of the *Human Acts* treatise, this is not the case at all when it is made an attribute of, or predicate of, attention: which is either actual and present or has

¹ Vermeersch, *Theologia Moralis*, iii., n. 858; Ballerini, *Opus Theologicum Morale*, iv. tract. ix. p. 312 (1891).

² *De Hor. can.*, c. 36, n. 13.

disappeared altogether. And in making this criticism I am sustained by the authority of St. Alphonsus,¹ who more than once confesses that he cannot see any meaning in the terminology in question more than if a person said that he virtually understood what he was reading when, as a fact, he did not understand a word of it.

Now, as I have stated already, it is admitted by all that one can so immerse oneself in *external* affairs as effectually, if not formally, to exclude the purpose of praying from one's mind; and the controverted question is whether *internal* distractions or disturbances may have this same effect. Everybody holds that allowing the attention to be diverted from one object of *devotion* to another is quite compatible with the continuity of prayer. Accordingly, a priest can certainly say the Office validly if he focuses his attention either on (a) the actual words of it, so that he pronounces each properly, and in its own place, or on (b) the meaning of these, or (c) on God, or the great truths of our faith more or less directly suggested by them. Although so far is it from being true that these three classes of subjects are mutually exclusive, or that each of them claims a monopoly of our attention, that we ought to make it our ideal to have them co-exist when we are reciting the Office. But if we wish to show a preference and exercise our discretion, we may do so without prejudice to the unity and permanence of our prayer.

As for the distractions that are purely *secular* in character, it is the unanimous teaching that, if they are involuntary in their inception and remain so, though they may interfere with our fervour, they are no bar to the substantial worth and merit of our prayers. That is to say, if they intrude themselves on us without any wish on our part to admit them, or without our having neglected the ordinary precautions to exclude them, they are quite compatible with that raising of the heart and mind to God that is the essence of prayer. Furthermore, it is quite certain that

¹ *Theologia Moralís*, lib. iv., n. 177, ratio 3 (Gaudé, Vol. ii., p. 610, col. 2); also in lib. vi., n. 14.

worldly matters, whether they be mental or extra-mental, that only slightly engage the attention, such as walking along an unfrequented road, answering an easy question about some every-day matter, watching other members of the congregation that come into the church during Mass, or thinking about some indifferent and impersonal subject, do not prevent our saying the Office or hearing Mass, as the case may be.

These points on which there is general agreement being thus set aside, we can see that the exact question to be determined is whether a distraction that completely focuses the attention, and that is directly voluntary, or voluntary in cause, or due to gross negligence,¹ and that lasts for a considerable time, is quite fatal to the valid recitation of the Breviary, valid assistance at Mass, or the efficacy of a private prayer that we may offer in similarly unfavourable and unacceptable conditions. These conditions being, needless to say, at the least, venially sinful, and greatly calculated to detract from the value to us of the spiritual exercise in which we may be occupied.

As regards attention and the *conferring* of the Sacraments, I think I may fairly sum up, or give an abstract of, the views of the theologians, by saying that if the intention be right, we need not worry about attention. Thus, Lehmkuhl writes: 'For the validity of a Sacrament no other attention is required besides that which is necessary in order that the matter and form be used with the proper intention.'² And Ballerini says that the attention which is said to be lacking in the virtual intention, that is the minimum requisite in the minister, is that 'which is reflex rather than direct.'³ And Noldin⁴ holds that only external attention is necessary in the minister, but this is not so called on account of its failing to be to any extent internal, but because it is not reflex, i.e., we have no consciousness of it. Similarly,

¹ Suarez, loc. cit., n. 19

² *Theologia Moralis*, ii., n. 30 (11th ed.).

³ Op. cit., cap. 2, n. 15, p. 492 (1891 ed.).

⁴ *De Sacramentis*, n. 20, b. (1921 ed.).

according to Prümmer,¹ this external attention is negative in so far as it connotes the absence of external impediment to internal attention; but it is also positive in as far as it is a cause of the Sacramental rite.

It may be well to note that though the liberal view about attention and prayer seems to have been originated by Durandus—which is not any recommendation in the eyes of moderate and sober theologians—Lugo² is its principal patron; and he has succeeded in getting a large measure of support for it in modern times, as well as for the arguments he elaborates in its favour. So, by stating and examining these, and some reasons on the other side partly as objections to them, I will place the reader in a position to form his own judgment on the subject.

One line of argument advanced by Lugo and his followers³ is based on the definition of prayer according to the mind of St. Thomas and St. John Damascene, namely, that it is the asking of what is necessary or useful for our salvation from God. If then, they contend, it is simply the act of speaking to God, and representing to Him our desires and needs, or it may be thanking Him for His benefits, this can be done substantially, even though one's mind has drifted away from the object of the petition or the thanksgiving. Just as a person can come into the presence of a king and humbly make known one's wants to him by reading them off a paper, or reciting them purely from memory, while his thoughts are far away from what is thus read or spoken. This, they hold, shows that however rash or irreverent it is to presume to seek audience of the King of kings, and to address Him, with one's mind obsessed by secular cares, or even by the business of His enemies, still this is not an insuperable obstacle to our conveying our message to Him, or making our case known; and especially in the Divine Office, where we are addressing God, not merely in our own private capacity, but principally as the agents or representatives of the Church.

¹ *Manuale Theologiae Moralis*, iii., n. 61 (1923).

² *De Eucharistia*, disp. 22, nn. 30, sqq.

³ See Lehmkuhl, loc. cit., n. 803.

I venture to think, however, that this argument can be pretty effectually met and countered by asking those who put it forward whether an earthly monarch, in the circumstances contemplated, would be very likely to grant the petitions of the person who, thus parrot-wise and mechanically, laid them before him; or whether anyone who sets store by a favourable answer would behave in this way. And if a request, from its half-hearted method of presentation, is almost doomed to go unheeded, is it a request in any true sense at all?

It is possible, indeed, though not very probable, that a human king would not perceive that such a suppliant's heart and thoughts were altogether divorced from his words. But this is, needless to say, not the case with God, Whose attitude, moreover, towards the careless and tepid, is manifest from the texts: 'This people honoureth Me with their lips; but their heart is far from Me.' 'True adorers shall adore the Father in spirit and in truth.' And St. Thomas tells us that 'he prays in spirit and truth who begins prayer from a spiritual impulse, although afterwards his mind wanders away from it through some *weakness*.' It is true, of course, in the case of the Divine Office that, however offended God may be with the irreverent minister who says it in a merely routine and perfunctory fashion, He can, nevertheless, hear in it the pleading voice of His holy spouse, the Church, who ordered and originated this sublime form of prayer; and so He may be disposed to listen to it and pay heed to it, notwithstanding the unworthy way its petitions are presented to Him. But it is assuming a good deal to hold that the Church is even tolerably satisfied with such a slovenly and negligent service from her chosen ministers.

However this may be, it has to be admitted that no definite law can be quoted requiring anything more than external attention; though, indeed, the Church could enjoy more without entering the forbidden or debatable land of purely internal acts. One regulation, it is true, is sometimes referred to in this connexion that was made by the Fourth

Council of Lateran (1215) under Innocent III, strictly ordering that both the day and the night Hours should be said carefully and devoutly. But even Suarez (the protagonist of the strict opinion) allows that what is thus stigmatized, and that under pain of suspension, is carrying on a conversation with lay people while the Office is being chanted in choir—in other words the absence of external attention. And the words of the Council of Trent,¹ inculcating on canons and dignitaries the devout recital, are taken from the same chapter, *Dolentes*, and so are not any more comprehensive in their scope or significance. On the other hand, I believe that Vermeersch's² attempt to undermine the strict view, by reference to Canon 135 of the Code, is equally futile or inconclusive. For this simply enjoins on clerics in major Orders the duty of reciting the canonical Hours in their entirety. And it seems to be claiming too much to maintain that the mere fact that it does not expressly insist on internal attention destroys the probability that this is necessary. Because if it does not prescribe internal attention neither does it mention external, and yet the need of this is certainly not thereby done away with. In fact, Prümmer,³ with this canon before his eyes, allows that the liberal opinion has barely *extrinsic* probability to support it. Nor does Génicot,⁴ e.g., claim any more than probability for it.

A second argument that is advanced on the same side is based on the fact that no attention is required for the valid administration of any of the Sacraments.⁵ All that is necessary, being, according to the Council of Florence, 'the things as matter, the words as form, and the person of the minister with the intention of doing what the Church does.'

Now, in the case of Extreme Unction the form is a true

¹ Sess. 24, cap. 12, de Reform.

² Op. cit., iii., n. 39, p. 42 (1923).

³ Op. cit., ii. n. 356.

⁴ *Casus*, p. 341 (ed. 1922).

⁵ In order to appreciate the precise sense in which this is true, it is well to consider carefully the extracts I have given above on this subject from some modern theologians.

prayer. This is clear from the text of St. James as well as from the tenor of the form itself. Consequently, if a priest can validly confer this Sacrament when pronouncing the words in a state of total distraction, it follows immediately that a true prayer is quite consistent with utter lack of attention. This is, undoubtedly, a very serious objection to the strict view. And the best way to meet it is to contend that, as the form is the prayer of Christ, Who is the principal minister of the Sacraments, rather than of His human representative, giving expression to it works *ex opere operato* and independently of the priest's mental attitude towards it; provided he has the right intention. Just as an unbelieving minister may validly use the same form, although in one sense he could not with strict propriety be said to employ it as a prayer. Prümmer's attempt to get over the difficulty in question is to hold that the form of Extreme Unction 'as enunciated by a priest in the state of voluntary distraction, is a true *physical* prayer and, accordingly, produces Sacramental effect, although it is not a moral prayer (of the minister himself) or an act of religion.'¹ But as against this, I think everyone will admit that it is, to say the least, unusual to classify or divide prayers into those that are physical and those that are moral.

In the next place, those who are satisfied with external attention try to establish or fortify their position by drawing a comparison between the case of one praying with voluntary distractions and that of one who, in a like state of absent-mindedness, takes a vow, or makes his profession in a religious Order. All agree that a novice who freely comes forward with the intention of assuming such an obligation, and recites the prescribed formula from a book,² no matter how deliberately distracted he may be, is validly professed. This, it is argued, shows that real human speech is independent of attention; because without it this novice could not manifest the internal obligation he was undertaking,

¹ Loc. cit., n. 358.

² Lugo, loc. cit., n. 34.

and so would not be professed at all. If, then, we can effectually convey our thoughts and wishes to our fellow-men, without attention being an indispensable requisite, why not also in its absence make them known to God?—which is the essence of prayer. As a fact, the vows that the novice in the case is supposed to take are directly made to God; and since they are unquestionably binding, it would seem that distractions, however voluntary and culpable, are no sufficient obstacle to His creatures communing with Him in prayer.

It is also contended that a person who, with the intention of showing forth his internal submission to God and abandonment to the Divine Will, falls on his knees or prostrates himself on the ground, really continues to manifest these sentiments while he retains the posture objectively expressive of them, even when his mind has consciously wandered away into secular or even forbidden channels of thought. However, it seems to me that urging this argument is in point of fact gratuitously assuming the case that has to be made good; and no proof is attempted that the conscious conceiving or cherishing of other thoughts, which *prima facie* means the alienation of the mind from religious ones, is not an effective, though informal, revocation of the first intention of honouring God by these gestures of submission to Him.

And it is for the same reason, namely, that there has been a complete change of intention, that another argument of what I may call the 'externalist' school falls to the ground. They allege that if voluntary distractions not only prejudice but destroy the essence of prayer, so do those that are involuntary, seeing that the latter, no less than the former, detach the mind from God and the concerns of our souls. But there is really no parity, for in the one case there is an absolute retraction of the intention of addressing or supplicating God, while this purpose may well persist, though more or less unknown to us, when the extraneous thoughts are indeliberate.

And if I may give expression to a merely personal

opinion which I have formed from a careful consideration of the arguments on the two sides, I believe the solution of the question at issue and a partial reconciliation or toning down of both views in reality depend on the partly unconscious survival of the intention to pray. Such intention must be *at the least* virtual.¹ That is to say, though we may not be fully aware of its existence, when it would be *actual*, it must still continue to operate or embody itself in some way in its effects; otherwise it would be at the most habitual and so insufficient. Just as attention was necessary to initiate this intention, so it is in a degree necessary to sustain it.

Well, the intention of praying is clearly inert and, as it were, quite dead, not only if it be revoked in express terms, but if it be virtually recalled, e.g., by a person occupying himself in external actions altogether incompatible with prayer; and, I personally believe, even if we make ourselves deliberately quite heedless or unconscious of it. So that in order to retain the virtual intention, which all agree to be vital, the mind cannot be *completely* closed to, or clouded as regards this purpose or, in fact, any other purpose that virtually continues. In proof of this I think I can fairly appeal to the teaching of both Lugo² and Suarez³ in their treatises on the 'Sacraments in general,' although they take opposite sides about the necessity of attention for prayer. Thus, Lugo says that a virtual Sacramental intention

Is nothing else than an indeterminate and slight act of the will whereby we now decide, e.g., to enunciate certain words, while referring them in a general way to the purpose originally formed. And because this is done in a vague and unconscious manner it demands scarcely any attention, nor is the agent able to give an account of it. Just as a skilled musician, instead of being acutely conscious of the desire and purpose to exercise his art, may have his intention to play distracted by romances or business; although, as a fact, he has all the time some slight actual advertence, and actual wish to move his fingers in a certain way.

¹ Vermeersch, op. cit., ii., n. 185; Billuart, *de Relig.*, diss. 2, art. 8.

² *De Sacramentis in genere*, disp. 8, sect. 5, nn. 75-89; and *de Poenitentia*, disp. 7, sect. 4, n. 40.

³ *De Sacramentis in genere*, disp. 13, sect. 3, n. 5. See Walsh, *de Actibus Humanis*, nn. 75, sqq.

Suarez, dealing with the same subject of virtual intention, says it is probable enough that—

Some actual attention at least to the external action that is being performed is required for it. And if anyone raises the objection that we have no knowledge of this attention or intention, the answer is that the attention in question is very weak and faint, and that it does not include reflection by which we advert to our attention or intention; and, therefore, though it exists in reality . . . it escapes our apprehension while it lasts, and when it is gone we cannot remember it or be certain that we had it.

Accordingly, I am entitled to say that there is a considerable volume of support for the view that if one's attention becomes wholly and entirely taken up with other things, the virtual intention, which is a vital constituent of prayer, ceases; and that this does not happen if even a meagre and contracted corner of the mind is left free to occupy itself with the things of God. I know, indeed, that a passage¹ may be quoted from St. Thomas where he plainly supposes that a virtual intention may survive the access of *involuntary* distractions; but I think I have managed above to interpret faithfully, though somewhat imperfectly, what he teaches about prayer in the following extract:—

Attention at prayer must always remain on virtually (*secundum virtutem*). . . . And it so remains when someone begins to pray with the purpose of asking anything of God or worshipping Him, although in the course of the prayer the mind becomes occupied with other matters, unless these so dominate it as to destroy the force of the intention formed at the beginning. So it behooves us frequently to recall our truant affections to the subject of our prayer.²

Similarly, Noldin,³ though he professes more than once⁴ to be a patron of the more liberal view, says that the presence of the external attention which is necessary [at Mass] implies the existence of some dim advertence to the sacrifice that is being offered on the altar.

If, then, our power of having intercourse or converse with God really depends on the existence of the proper

¹ *Summa Theologia*, p. 3, qu. 64, art. 8, ad 3.

² Apud Prümmer, *op. cit.*, ii., n. 357, note.

³ *De Præceptis*, n. 259 (1922).

⁴ *Ibid.*, nn. 139 and 768.

intention, it is clear that mental prayer is, as it were, more sensitive to distractions and more easily prejudiced by them than vocal prayer; for in the former case the intention has nothing external with which to be concerned, and which, consequently, may keep it operative and vivified after its proper objects—thoughts and affections—have been withdrawn from it by distractions. Whereas the words in vocal prayer to some extent provide suitable matter for this purpose.

It seems to me to be clear, too, that thoughts which are in themselves *morally* sinful, even though they leave the mind partially free to advert to the intention of praying, simply because they are so evil, completely revoke and nullify this intention, which is or ought to be one in union with that whereby Christ praised God on earth. In fact it is the teaching of Suarez¹ that bad thoughts of a certain character harboured during prayer are not only themselves grievously sinful, but have the added malice of a venial or, perhaps, a mortal sin against the virtue of religion. While, on the contrary, the good intention may not be interfered with at all if the object of the intrusive thoughts were merely secular, or even of venial malice, as every distraction at prayer is. Because the commission of venial sin, though it detracts from the love and service of God,² is not incompatible with this. And, of course, it is a fact of everyday experience that gets due recognition from the theologians,³ that the human mind can attend to various subjects of a very diverse kind at the same time—a facility which varies in degree with the range and compass of the intellect of each individual.

It is manifest, also, that the thoughts of a priest, however sinful they may be, do not prevent his discharging his duty in his official capacity as the representative of the Church in reciting the Divine Office. Unless, indeed, the thoughts

¹ *De Relig.*, tr. 4, l. 3, c. 4, n. 13.

² 'If a person designedly lets his mind wander at prayer, this is a sin, and lessens the efficacy of the prayer.' *St. Thomas*, 2, 2ae, q. 83, a. 13 ad 3.

³ Lugo, *de Incarnatione*, disp. 8, n. 86.

in question are so numerous and so tenacious as to leave no room for the trifling amount of attention on which, as I have tried to show, the continuance of the purpose to pray depends.

It is well to remember again, that the duty of assisting at Mass is not concerned specifically with prayer,¹ but in a general way with the worship of God, both internal and external. Now, there are other ways besides formal prayer by which we can associate ourselves with the priest in the offering of the holy sacrifice, and so fulfil the obligation of giving God the supreme honour that is due to Him. This is the reason why the theologians² are satisfied that those validly hear Mass, who, in the course of it, read a pious book, make the Way of the Cross, examine their consciences, play the organ, sing in the choir, make the collection, etc., provided they are properly attentive at the principal parts, and especially at the Consecration and the Communion.³ Even they allow, if this condition be fulfilled, that a priest while saying one Mass can validly and fruitfully hear another.⁴ Moreover, on this condition would appear to depend the solution of the case that used to be debated with such fulness and detail, of one who makes a rather long confession during Mass.

The exact objects that should engage our attention at Mass are very similar to, though not precisely the same as, those we ought to have when saying the Office. For according to St. Alphonsus⁵ the congregation may fix their thoughts on (a) the words and actions of the celebrant; (b) the meaning of these; and (c) on God and His attributes, especially His love, of which the Mass is such an appealing and, indeed, overwhelming proof.

I may conclude by mentioning the means the Saint⁶ and others recommend to stimulate and preserve the spirit

¹ St. Alphonsus, *Theol. Mor.*, lib. iii., n. 313; Vermeersch, iii., n. 858.

² Prümmer, *loc. cit.*, n. 480.

³ St. Alphonsus, *loc. cit.*

⁴ *Ibid.*, n. 314, at end.

⁵ *Homo Apostolicus*, tr. 6, n. 28.

⁶ *Theologia Moralís*, lib. iv., n. 177, at end.

of piety, of attention and devotion which, even though it is not a matter of serious obligation, is indispensable if we wish to have a really favourable audience for ourselves of the Divine Majesty ; and to avail to the full of the manifold fruits of private prayer and of the Divine Office in particular.

We should, then, be careful (1) to say with our whole heart and soul the preparatory prayer, *Aperi, Domine*, in which we beg to have our minds made replete with the spirit of understanding and of love, and to have them cleansed from all idle, evil and irrelevant thoughts ; and we ought to renew this process of purification, e.g., at every *Gloria Patri* or at the beginning of every psalm. We must (2) try to understand the matter of the Office and especially the psalms, for ignorance or mental vacuity is a fruitful source of distraction. It will be helpful (3) to put before ourselves, to be gained in each of the Hours, some special intention that we have very much at heart, or that we stand much in need of ; or to try to say each of them in union with, and by way of meditation on, some phase of Our Blessed Lord's Passion. We should (4) keep a careful guard over our senses, remembering that 'my eye hath wasted my soul,'¹ and that 'death is come up through our windows' ;² and, what is equally important, we ought to hold our imagination in check, so as to form and retain, as far as possible, a vivid and practical consciousness of the intimate presence of God.

DAVID BARRY.

¹ Lam. iii. 51.

² Jeremias ix. 21;

BISHOPS : CATHOLIC, PROTESTANT, AND 'ANGLO-CATHOLIC' ; IN SHAKE- SPEARE'S *HENRY VIII*

BY PROFESSOR W. F. P. STOCKLEY

ERASMUS does, indeed, say, that, about 1520, never had the Holy See been so degraded, never corruption so rampant among churchmen and laymen. Yet, physician, heal thyself—

The glory of the priesthood, and the shame

(in double sense), this man of learning, not much to be thought of as a priest, half forced to be such. No hero he, no martyr, no saint ; though as great a scholar as Blessed Thomas More, and as dear a lover of quiet learning as Blessed John Fisher. And Erasmus could be named one of 'Three Reformers (of about 1500) : Colet, Erasmus, and More,' men of the Christian Renaissance. Like Cardinal Pole, afterwards ; and like Vives, *protégé* of Katherine of Aragon, the tutor of her learned daughter, Mary ; like Cardinal Ximenes, maker of the great Complutensian Bible ; like some of the Popes of the Catholic Reaction, after the Pagan Renaissance, after the succeeding 'Reformation.'

Never was the intellectual and material world-like glory of the Papacy greater, in Rome, than about 1520 ; under Leo X, Medici prince, for whom Henry the Eighth was 'Defender of the Faith,' or before the 1527 sack of Rome, under the other Medici, Clement VII, whom Henry the Eighth was to renounce as mere 'Bishop of Rome.' The Papacy had weathered the Schism (1378-1417), and those days of mutually excommunicating rivals to Popedom. Harder to weather, was this day, when the 'puritan' Pope, Adrian VI (1522-23), coming between the two princely Medici, mourned, and would scourge, 'propter peccata

hominum, maxime sacerdotum et Ecclesiae praelatorum'; for, in the Holy See, itself 'multa abominanda, abusus in spiritualibus, excessus in mandatis, et omnia denique in perversum mutata'—this day of vicious boys made Cardinals (though there were contemporary Cardinal saints); the day of a hundred bishops dallying in Rome out of their sees, such as another reforming Pope was, later, to chase out and home; the day when a breath of the word of coming Papal reform made the price of Church offices in Rome fall, to the terror of brokers, jobbers, and place-hunters; the day of bishoprics and abbacies held in dozens by one bishop; the day of abbeys held by lay abbots, illegitimate sons of kings; the day of scandal-giving priests, and of those mongerers of pardons, those curses of the Church of the Middle Ages, who were to be suppressed by the Council of Trent (1545 to 1563). The day, too, of saints: soldier-saints, nun-reforming saints, mystic saints; the day, still Catholic, when the people knew the Lord's will, even when they did it not, and when they still had before the eyes of their mind—the idea that their poor Catholic souls revered and would love—the idea of a saint.

While [writes Pastor, *History of the Popes*, x. 389] almost the whole official world of the Curia was given up to politics, and the Italian clergy (conspicuous among whom were the Roman prelates) to corruption and frivolity, to an alarming degree; while Leo X himself, heedless of the threatening signs of the times, was sunk in aesthetic enjoyment amid the whirl of a gorgeous secular life; a certain number of men, clerics and laymen, noted for virtue and knowledge, had united themselves, under the guidance of the spirit of God, in a confraternity, under the protection of St. Jerome, bearing the significant name of the Society or Oratory of the Divine Love.

How far from the spirits of the contemporary rivals: King Henry and Doctor Luther!

Erasmus, in his intellectual pride, scorned the bigoted, and also, inevitably, the simple. He was to be sorry for some of his scorn: when the Lutheran riot and roaring rose high, and there was the plundering of seats of learning, and the furious preachings, out from which he saw the anti-papalists pour forth, with murder in their eye (as

Erasmus explicitly notes), hot with hate, foaming in their dull anti-popery fury; a savagery hardly to be witnessed now, outside Belfast and the land of Tennessee.

Colet, Catholic Dean of St. Paul's, founder, with sweet precepts, of a school for graciously brought-up Catholic youth, was, (in his reforming zeal against popular pilgrimages and running after relics), another scorner of what was simple among the common folk of God. He did not live, fully to see, that if abuses surely bring on revolutions, abuses may be better than revolutions. Sir Thomas More had seen; like Erasmus, and with saintlier eyes. And the author of the *Utopia* came to declare, that he would rather his right hand were cut off, than that any of his reforming words, should have confused, in any sort, men's loyalty to Christ in the Church.

But with Blessed Thomas More there stood, in that early sixteenth-century England, of noble building and rebuilding of churches, of glorious developments, in abbeys and churches collegiate, of magnificent stained glass and jewelled embroidery beyond compare, of the music beyond praise, in this our age that has rediscovered it (the greatest of all rediscoveries, judges Sir H. Hadow's *History of Music*), and is in wonder at its beauty of form and taste, the music of that last cultured generation of splendid English Catholicism; in the pride of its place under Wolsey, and Warham, and Henry the Eighth, last royal pilgrim to the shrine of St. Thomas à Becket, and to Our Lady of Walsingham—then, with More, in that great day of glamour and glory, (when, said a wondering or warning voice, 'the monks of England care for nothing but music'), there stood only a single English bishop ready to die for that Roman See, of which its destroyer in England had pledged himself, again and again, to be the devoted son. (Though a truth may be spied in Brewer's remark, that, in England, 'the Papal authority had ceased to be more than a decorum to be observed'). 'My England,' its eighth Henry declared, in presenting his Defence of the Faith to the Pope—for which, Pope Leo gave to his Defender the jewelled

missal, bought, of late, by a German Government, for £10,000—‘my England has never yielded to Spain, never to France, never to Germany, never to Italy, no, not even to Rome itself, in the service of God and in the Christian faith, and in the obedience due to the Most Holy Roman Church.’ Such were words of Henry VIII, written with the help of the faithful Bishop Fisher, recalling such history as (a century before) the words of the University of Oxford and of the Archbishop of Canterbury, Chichele, (who founded All Souls’ College, Oxford, that, there, Masses might be said, for ever, for the dead): ‘We profess, with full assent from our hearts [that you, the Pope in Rome, are] the one Supreme Pontiff, the Vicar of Christ on earth, and the true successor of St. Peter.’

Nowadays, there are historical investigators suggesting, that, even in 1521, when presenting his Catholic book to the Pope, Katherine’s false husband was putting out a feeler, whether, perchance, he could get Rome on his side, if he sought divorce from his wife. Anyway, when the time came, and Henry is declaring that his only object is to get done that which was just, and to relieve his conscience, Bishop Fisher took him at his word (that he was seeking light from the judges at the trial), and, as a judge therein, this martyr bishop then spoke, for loyal duty, he said, for salvation of his own soul, and as a result of two years’ study of the matter. He spoke out, that the marriage of Henry and Katherine was valid, and by no power could be unloosed. For this he was ready to lay down his life. And, (as he recalled), his patron, St. John, thought it impossible to die more nobly, than in a cause of marriage; a thing more holy now, through Christ’s blood. John, Bishop of Rochester, then handed in his book on the subject, to a court unprepared for such honest bravery. And the ‘impartial’ king wrote, to the Cardinal Legates, an impassioned letter, declaring Fisher to have written ‘like a disaffected subject.’

The Spanish Bishop of St. Asaph, indeed, stood also for right. But, as to the rest, ‘the bishops on both sides’—

'Anglo-Catholic,' like Gardiner; Protestant, like Cranmer—were for wrong, and 'acted,' (has written the priest, Dr. Lingard), 'with equal caution. They carefully studied the inclination of the King, sought by the most servile submission to win his confidence, and employed all their vigilance to defeat the intrigues and to undermine the credit of their adversaries.' The poet of *St. Thomas of Canterbury* (ii. 3), Aubrey de Vere, gauged well the types:—

His mitred brethren first
Quaked for themselves. 'Twas brave to watch them later,
When charge on charge was hurled on him alone,
And no word uttered which impugned their order;
To mark them whispering first; then glancing round,
Like woodland creatures peering from their holes
When storms are gone. Ere long they basked and swelled
Like birds on late-drenched branches, sunshine-gilt,
And cleared their throats for song.

Take these much to be admired Shakespeare words of watchful wariness, of cunning fear, of fatuous self-interest, used by Henry's confessor, the Bishop of Lincoln, Catholic bishop and courtier, when his penitent—the confessor and the penitent, in the same year, 1547, went to their accounts—

thus hulling, in
The wild sea of my conscience, did steer
Towards this remedy.
I meant to rectify my conscience,
By all the reverend fathers of the land,
And doctors learned. First, I began in private
With you, my Lord of Lincoln: you remember
How under my oppression I did reek—i.e., *as from inward*
fire—
When first I mov'd you.

And the courtier-confessor:—

So please your highness,
The question did at first so stagger me—
Bearing a state of mighty moment in it,
And consequence of dread—that I committed
The daring'st counsel which I had to doubt,
And did entreat your highness to this course
Which you are running here (ii. 4).

The last two lines run almost into a smiling; under the

beaming of this bishop's lord, upon the loyalty of his subject. But, beginning, hesitating, the bishop allowed he was 'staggered'; and he had good cause to 'dread'; yet, feeling Henry was *pro*, his confessor felt that he himself must be *pro*, though shrinking still from his own 'daring,' and opening the loophole of escape, by 'doubting' whether he was right; and, of course, if Henry were to leave Anne, (as that, one time, he did, during terror of plague), then the 'doubting' bishop could easily say he was wrong, and half knew it all along.

A loyal subject is therein illustrated.

There is extant, this (Longlande) Bishop of Lincoln's 1535 letter, to Abbots, Priors, Deans, Provosts, Guardians, Rectors and curates, who, in all churches of the diocese, were to read publicly, that:—

The unlawful authority usurped by the bishops of Rome in this realm is now, by God's law, and by authority of Parliament, and with the whole consent and agreement of all the bishops, prelates, and the universities of Oxford and Cambridge, and the whole clergy of this realm, . . . extinct and ceased for ever in England. The King's highness is supreme head on earth of the Church of England. . . . Every true Christian ought to teach their children and servants the same.

Each reader-out of that is to say: that 'of myself I know this to be true'; and, (in order to try to confirm the wondering Catholic folk), he is to say, that 'the same is certified from the mouth of mine ordinary, the bishop of Lincoln'; and (if the people's wonder grew), 'I am ready to shew you the bishop's seal.'

It was this Bishop Longlande, who, with Lee (afterwards King's Archbishop of York), was sent to crush and try to cow Queen Katherine, with the talk that Gardiner describes as 'both indecent and insulting.' (It is said that this would-be 'Anglo-Catholic' Bishop Longlande was sorry—when too late—for ever having had anything to do with the whole dirty matter). Three of these bishops had invited Sir Thomas More, Lord High Chancellor of England, to attend Anne Boleyn's coronation. They offered him some £150 (of our money) to buy him suitable habiliments for

the occasion. For him, this would have meant, overtly, to declare Queen Anne's marriage lawful. And, so to declare it, he would not; willing though he was, to accept, as queen, whosoever the Parliament accepted, and her offspring as heir to the throne—e.g. Anne and Elizabeth.

In truth, one must never lose count, not only of Blessed Thomas More's readiness, nay his anxiety, to meet, more than half way, his revered king—vide More's *Last Letters*, passim—but also of his earlier unfixed and unfirm allegiance to the Pope. In Pastor's words (x. 284): 'If so learned a man as Sir Thomas More held erroneous and perverted views on the Primacy, until closer study brought him to the light'—seven years' study, says the saint—'we can measure the extent to which such views were current among the majority of Englishmen.' In 1365, the Statute of Praemunire had been passed, against the authority in England of the Holy See; then, indeed, settled, not in Rome, but within France—at Avignon. Nearly two centuries after, when (March 24, 1534) Rome gave decision of the validity of Henry's and Katherine's marriage, and that the husband was bound to return to the wife, then Henry VIII severed England from Rome. 'The full significance was now made clear, of the principle of the Supreme Authority of the English Crown in matters spiritual, which was involved in the so-called statute of Praemunire.' By the Act of September 25, 1534, the English schism was an accomplished fact; Parliament, and most of the English clergy, being in complete subjection to the King. In England, as in Ireland, most of the bishops thought, or acted as if they thought, that they could keep the Catholic Faith they believed, and yet substitute the King for the Pope, as Vicar of Christ. All authority, in spiritual as in secular matters comes, from the Christian Prince. So they taught. The English Established Church has existed on this basis from first to last.

Thus, (by such prelates and their princes), the Catholic English, say their apologists, were robbed of their Faith, or were willing to be robbed. 'Why did you say such

things?' was asked of one of these bishops, Bonner, Bishop of London; who thus had become 'Anglo-Catholic,' (in a more real sense), then, when the wrath of the prince was the messenger of death. 'The heart of a man is timid,' answered this bishop, when reconciled to Catholic communion under Mary. The Bishop of Winchester, Gardiner, too, (if, also, refusing to belong to any of the Cranmerian Anglican Protestantisms under Edward), had, under Henry become Anglo, and no longer Catholic and Roman. To Rome this schismatic-minded Bishop Gardiner went; and there he browbeat and insulted the Pope, telling him that his King of England would turn to Luther, if the Pope refused him to remarry at will. Francis I of France, even in his anti-Spanish hate, was disgusted, at the 'extreme insolence' with which Gardiner demanded Papal withdrawal of the sentence against King Henry. In Henry's letter to that episcopal agent of his, was uttered the threat, that 'the king is loth to recur to any remedy except the authority of the See Apostolic, if he can find there favours answering to his merits,' as the Faith's Defender. No one so mild as I am, when I have my own way.

The King's way was going beyond Gardiner's way; against bishops, as against popes. And the King frowned. And then the sycophant prelate:—

Dread sovereign, how much we are bound to heaven
 In daily thanks, that gave us such a prince;
 Not only good and wise, but most religious;
 One that in all obedience makes the Church
 The chief aim of his honour. (v. 3, 114.)

Even to Henry, that flattery was 'too thin and bare.' A Dean Swift came to protest, more honestly, against 'tithes of a great number of churches bestowed, by that sacrilegious tyrant, Henry VIII, on his ravenous favourites.' Henry's brother-in-law, the Duke of Suffolk (whom he directed to strip Wolsey of goods, lands, all), got, for himself, thirty monasteries and convents, in plunder and loot. Worthy brother-in-law, Suffolk began by marrying his aunt, and ended by marrying his daughter-in-law; after being thrice 'divorced'; by these annulments, (through bribery,

treachery, false swearing, terrorism), which, declared the strong eighteenth-century Pope, Benedict XIV, had been a 'disgrace' to the Church.

Yet, what more could have been done for Henry's new national religion than, by the miserable episcopal time-server, Gardiner, was done? To the University of Cambridge Bishop Gardiner, as Chancellor, explained, that 'the King's gracious Majesty has, by the inspiration of the Holy Ghost, composed all matters of religion.' Wherefore, their business was 'to take that which is set forth to them.' Tyranny of men's opinions in matters of mind—that is national religion.

Henry died, and in St. George's Chapel, Windsor, he is buried; and there Gardiner preached the funeral sermon, on *Blessed are the dead that die in the Lord*; showing forth 'the pitiful and dolorous loss that all manner of men have sustained by the death of so great and gracious a King.' The Roman Church, indeed, has survived the loss, both of such princes and of such prelates—not to say of such popes, as the one with whom they had to deal. Of this Clement VII, says Guicciardine, historian, (1483-1540), that 'in every bit of Pope Clement's thinking, and in his doing what he had thought about, each slight obstacle seemed enough to make him fall back into the same confused state that he was in, before he began to think.' O cursed spite! such a nature might say, to such a time. 'Tis said, there were Cardinals would wake this Pope, o' nights, urging him to give in to the English King, and so save (*sic*) the Church. The promise made to weak Peter, was not made to them.

But did Henry the Eighth's funeral preacher bishop believe a word of his disgraceful sermon? Gardiner was not a Protestant. And, under Edward, Protestant reformers sacked his library, after their manner; and he himself was imprisoned. Under Mary, again Bishop of Winchester, he wrote, it is said, the petition in the House of Lords, praying for readmission of England into the unity of Catholic Christendom:—

We, the Lords Spiritual and Temporal and the Commons assembled in this present Parliament representing the whole body of the realm

of England . . . do declare ourselves very sorry and repentant of the schism and disobedience ; and desire from the Apostolic See absolution, and, as children repentant, to be received into the bosom and unity of Christ's Church.

Until the times do alter.

Further, under Queen Mary, this episcopal Vicar of Bray did preach, in one of his last sermons, what, perhaps, he had always believed :—

I was awfully in error in my past conduct. Let me impress on you, good people, that Catholicity and the Papacy can never be severed by any earthly power, they will remain united together to the end of time.

The modern 'Anglo-Catholic' (without reality in his blood) is, doubtless, not thus a liar or a self-deceiver, or trickster with known truth.

If such was the leader of Henrician 'Catholic' Bishops, what of the Protestant leader, the married Cranmer, who murdered Protestants daring to confess what he himself believed ; in terror, as he was, of the lightnings of King Henry's eye :—

I am fearful. Wherefore frowns he thus ?
'Tis his aspéct of terror—

the Henry, of :—

My learn'd and well-belovèd servant, Cranmer ; of whom the still not quite conscience-stifled employer would say : 'With Thomas Cranmer at my elbow, I could overcome every difficulty.' How can I, son of the Catholic and Roman Church, have an archbishop, so that of me it can be said : 'How happy is the prince who has a churchman so learned and pliant to expound his laws' ? Then, Thomas Cranmer is your man. He goes into a chapel of Westminster Abbey, swears that he will not mean, at his consecration, the oath he is then about to take to the Pope ; and then goes into the Abbey church and is consecrated, taking that oath, as last (but one) of the unbroken line of Archbishops of Canterbury receiving their pallium from Rome. His price is, to annul Henry's marriage ; and, as usual, the tyrant compels his agent to take responsibility ; and Cranmer

writes, about his duty to God and King making him seek to put an end to doubts as to Henry's and Katherine's marriage. So he prostrates himself at his majesty's feet, craving permission (*sic*) to hear and judge the case, calling on God to witness that his only object is to free his own conscience and benefit the realm.

Katherine is divore'd,
And the late marriage made of none effect,

by Cranmer. Then comes Anne Bullen's fatal day; and, two days after her condemnation by the peers, their fitting chaplain—as it were—again 'having God alone before his eyes,' pronounces, 'in the name of Christ and for the honour of God,' this second marriage null. Again, for Anne of Cleves's marriage, Archbishop Cranmer told the House of Lords he had begun to doubt its validity; the King having felt against it, and, so, not having consented to it. Anyway, Henry resolved to declare it null; and, so, his drilled lords and commoners came to him and said they had a matter of great moment weighing on them. Wherefore, the chief actor said they had his royal permission to speak; forasmuch as they would say only the thing that was just. This fourth marriage of Henry VIII was, therefore, (said Cranmer), null.

It was all an old story. As Fisher stood alone against Henry VIII, so Thomas à Becket against Henry II, so Anselm alone against Henry I. And, much earlier, in the seventh century, St. Wilfrid: 'I appeal with boldness to Rome.' 'You are a Roman, not an Englishman,' cried English Archbishop Berchtwald, and English King Alfrid; adding: 'He is judged out of his own mouth, by his preferring a Roman court to ours, a foreign court to his country's.' And 'I'll use armed force against Wilfrid, if you wish'; said this King also, to this national, if saintly, archbishop. Montalembert tells the tale (in his *Monks of the West*, iv. 312, sqq.); noting how these 'precociously intelligent Anglo-Saxons' 'stigmatized, as a crime and anti-national, preference for foreigners, that instinct and

natural law which induces every victim of oppression or violence to seek justice where it is free and independent.' Their King refused to abide by Rome's decision: 'So long as I live, I will change nothing, out of regard to what you call a mandate of the Holy See.' Alfrid died soon; sorrowful for his nationalism. But his living story, and Wilfrid's, read like doings of Tudors, and of those few 'disloyal' ones, under them found faithful. Yet a local English religion was not then set up.

Truly, after some thousand years, Rome was not as it had been; and sixteenth-century words of allegiance hid hearts, of contempt and revolt. Something has been seen, of the Tudor king's men, who served as pope's bishops, and deserved the contemptuous setting aside that they got, after serving with lay lords in their hopeless timidity, and then in their money-lust; ready for the coming blood-lust, towards the 'traitors' to their new State Church. And a Cromwell, from being a Wolsey's secretary, became Vicar-General of England, under the new Head of the Church, and maker of bishops, as unmaker of abbots. And like the royal Head's Vicar-General, Henry's new-fangled Archbishop answered his King, in 1540, that 'The ministers of God's Word under his Majesty be the Bishops, Parsons, Vicars, and other such priests as be appointed by his Highness to that ministrating; and assigned, and elected, in every place by the laws and orders of Kings and Princes. In the admission of many of these offices, be divers comely ceremonies and solemnities used, which be not of necessity, but only for a good order and seemly fashion; for, if such offices and ministrations were committed without such solemnity, they were, nevertheless, truly committed. And there is no more promise of God that grace is given in the committing of ecclesiastical office, than it is in the committing of civil office' (which, perhaps, covers the case of Henry's? unconsecrated Bishop of St. Asaph, Barlow; who made the first Protestant Archbishop of Canterbury—no doubt, anyway, without valid form and intention). And Cranmer adds—vide his works passim, in the Parker

Society—'He who is appointed bishop and priest needeth no consecration, by the Scripture; for election or appointment thereto is sufficient.' His unspeakable Grace of Canterbury continues—his flattery could not fail to be taken; for it was mixed with no possible warning to his employer—'This is mine opinion and sentence at present; which, nevertheless, I do not temerarily define, but refer the judgment thereof to your Majesty.' A worthy Metropolitan he was, of my Lord of Lincoln.

Another churchman of a better sort, Cardinal Pole, Henry's Plantagenet cousin, though at first he had been employed by the King, to enquire of the University of Paris as to the King's 'matter,' yet, later, rose to denounce the royal shame. And Cromwell, on the Tudor King's side, denounced 'the follye of one braynsick Poole, the Ruyn of so great a famylie.' The King, in the absence of the Cardinal, judicially murdered Pole's mother, Blessed Margaret, Countess of Salisbury, and her other son, Lord Montacute (i. 1). 'God send you,' wrote Cromwell to Pole, 'either shortly to come to your allegiaunce, orelles to a shamefull deathe'—Cromwell's destined own; not Pole's. However, not, as the sadly loving Fisher, did Pole, from abroad, to Henry, speak out loud and bold:—

Are titles given for less than nothing, that you should be called the Head of the Church, who are the robber and persecutor of the Church? . . . Who can cite any good deed of yours? What are your public works? Pleasure-houses built for your own gratification, ruined monasteries, churches wrecked, and their possessions confiscated. . . . You have, on most frivolous pretences, destroyed your nobility; you have filled your court with worthless men, to whom you have surrendered everything.

But what shall I say of the butcheries which have made of England the slaughterhouse of the innocent? In most horrible and unheard of fashion the holiest and most spotless men have been put to death, for crimes invented by yourself. . . . And you! You are the man who holds that the Pope, as morally deficient, cannot be the Head of the Church.

A modern bishop of the new inheritance, the Protestant Episcopal Bishop Coxe, of New York, has reflected, that,

at his Reformation, 'If the Church had had no property, there would have been a faint cry for its reform.'

There is one of the churchmen under Henry VIII—vide *State Papers*, H. VIII., vi., 245—whose earlier death (1532) has, perhaps, let his name be stained. Warham, Cranmer's predecessor as Archbishop, had signed the acknowledgment of Henry in Church Headship, 'as far as may be permitted by the law of Christ.' Would Archbishop Warham have stood with Bishop Fisher? Let this be said, that Warham's last document (to be submitted to the Council of State) ran—out of the tragic wretchedness of the whole business—

And where, in this case, not doing the Pope's commandment, I should fall into perjury; and doing his commandment I should fall into a premunire, as is supposed; if a man could not choose but to fall into one of the said dangers, of perjury or premunire, it is better to fall into the hands of men than to violate the law of God.

That was the awesome dividing sword. The spirit, at least, of a martyr, spoke in this successor of St. Thomas:—

In case you should be so noted, by other folks' instigation and ungodly means, to draw your swords in this case, and to hew me in small pieces, (which God forbid ye should do), yet I think it were better for me to suffer the same, than against my conscience to confess this article [against the King's Headship of the Church] to be a premunire, for which St. Thomas died.

Could those have been but words, words, words? They do not ring like Cranmer's oaths, false as oaths of dicers.

And yet, alas! and the pity of it. Was there not the Cranmer, then a priest-Fellow at Cambridge, revealing what he knew (if not what he was worthy to know), and telling of what good nuns were doing, before he himself found it pay to fawn on their plunderers, and to drive the religious out. To the last abbess of Godston, a convent described as both 'strict' and 'enlightened,' the pre-Reformation Cranmer wrote:—

I send you by Stephen Whyte forty shillings [what to us is some £25], as it be Christmas time; for the comfort of the sickly children of the poor. I beg that my soul's health be remembered in your prayers, and

those of the little innocent children. I recommend you to the care and protection of the Holy Virgin Mother. (Cited in Wood's *Antiquities of London*, page 375).

'T.C.' signs himself; and he adds :—

Stephen Whyte hath told us that you lately gathered around you a number of wild peasant maids, and did make them a most godly discourse, on the health of their souls; and you showeth to them how goodly a thing it be to them to go often times to confession. I am mighty glad of your discourse. When the serpent cometh, in the shape of a man, to whisper a bad action, the maid that goeth to a clean, honest confession is the one that cannot be led astray; and so Satan is thereby disappointed. And the man who is dishonest [impure] becomes changed; and the spirit of revenge will not any longer have a dwelling in his heart. Confession be a most goodly thing for the soul's health and rest.

Cranmer knew that. And he said it. And he became what he became—a helpless and hopeless pander to impurity, and a cowardly fosterer of restless revenge.

W. F. P. STOCKLEY.

NOTES AND QUERIES

THEOLOGY

NOTIFICATION OF BAPTISM

REV. DEAR SIR,—What is the obligation of Canon 778? Is it the business of the parish priest of domicile to ask for the information, or is the parish priest of the place of baptism bound to send it, whether asked or not?

In the latter event would the parish priest satisfy the law if he told the parents, or others in charge of the child, to inform their own parish priest of the baptism?

R. F.

Canon 778 prescribes: If baptism has not been administered by the *proprius parochus*, or in his presence, the minister shall immediately notify the *proprius parochus*, by reason of domicile of the subject, that it has been conferred.

Clearly, there is an obligation on the parish priest of the place of baptism to notify the parish priest of the subject. Every parish priest is bound to ensure that the children of his subjects are baptized. When he does not administer the Sacrament himself, or is not present at its administration, he should have *authentic* proof that it has been conferred. The present law is intended to enable him to have this authentic proof. In a matter of such gravity as the reception of baptism the law is not satisfied with haphazard methods of conveying information, and hence, we think that it is not properly complied with, as a rule, when the notice is given by others. There is always the danger, due to malice or negligence, that parents will not have their children baptized, and, if left to themselves, that they may afterwards assure their parish priest that baptism has been conferred. Even though it may be said that such danger is more imaginary than real in the case of well-instructed and conscientious persons, it must still be remembered that 'laws made to provide against a general danger bind, even though in a particular case the danger does not exist' (Canon 21).

As to the character of the obligation, it seems to us that, in view of the gravity of the matter in question, it is *per se* grave. The use of the word *quamprimum*, indicating urgency, would appear to confirm this opinion.

The standard authors we have consulted offer no comment on this Canon. They merely quote or paraphrase it. But its meaning seems to have been missed altogether by Fanfani. His words are: 'Minister qui, absente parochi, quempiam baptizaverit de ipso collato [baptismo] quamprimum proprium ratione domicilii parochum baptizati certiore

reddat.' Proprium ratione domicilii parochum, 'dicitur in Codice; at communiter res parochi loci baptismi notificatur; et hoc videtur esse sufficiens.'¹ The Canon positively requires that notice of baptism be given to the *parochus proprius* of the person baptized. It is obviously *not* sufficient to inform the parish priest of the place of baptism.

A SIN RECENTLY RESERVED 'RATIONE SUI' TO THE HOLY SEE

In the January issue of the I. E. RECORD a decree of the Penitentiary was published concerning the absolution of adherents of *L'Action Française*.

Although, the Decree states, there can be no doubt that confessors sin gravely who absolve members of this organization, or any of its adherents, unless they altogether repudiate it; yet, there are still to be found some confessors who stifle their consciences and incur this grave guilt. As exhortations and even threats have been unavailing, the Holy See is now compelled to take more drastic action.

Therefore, on the express mandate of His Holiness, and with his approval and confirmation, the Sacred Penitentiary now declares that 'the sin of confessors who sacramentally absolve those whom howsoever they know to be actual adherents of *L'Action Française*, and who, when warned by them according to their duty, refuse to withdraw from it, is reserved to the Holy Apostolic See.'

The force of this reservation, the document continues, is such that, even in those cases in which reservation ceases according to the law, there still remains the obligation on the aforementioned priests of having recourse to the Penitentiary, under pain of excommunication, specially reserved to the Holy See, within a month from the date on which they obtained Sacramental absolution, or after their recovery, in case of illness, and abiding by its commands.

We refer to this decree, not because of its practical importance to our readers, but because of a few novel points contained in it, and in particular because of an extraordinary inference which the commentator of the *Monitore Ecclesiastico* derives from it.

The general law reserves only one sin *ratione sui* to the Holy See, viz., false accusation of a confessor, of the crime of solicitation, before ecclesiastical judges (Canon 894). This decree now adds another. That is the first interesting point. The second is that this new reservation has a peculiar effect. Even when reservation ordinarily ceases by law (Canon 900), there remains in this particular case an obligation to have recourse to the Penitentiary. Hitherto, the obligation of recourse existed only in connexion with reserved censures (Canon 2254). Here we find it attached to the reservation of a sin reserved without censure. And whereas, in the case of reserved censures, the penalty for non-recourse is that the same censure is reincurred, here a new penalty has to be devised, in the shape of an excommunication, specially reserved to the Holy See.

The writer of a note on this decree in the *Monitore Ecclesiastico*²

¹ *De Jure Parochorum*, n. 244.

² December, 1928, p. 363.

makes a strange generalization. 'The declaration here made,' he says, 'in general terms, is most important in regard to the effects of a reservation *ratione sui*, namely, that if one does not have recourse in due time to the Holy See or the organs of its authority, after having lawfully obtained absolution from another, one will incur the excommunication specially reserved to the Holy See. Considering the general terms in which this is expressed, it seems applicable also to Canon 894, concerning false denunciation of solicitation; so that the person who has falsely denounced, and who has not had recourse in due time, incurs this excommunication.'

This, we venture to think, is an inference without any reasonable basis whatever. The present decree is clearly a piece of emergency legislation, intended to cope with a special problem. And the words used afford no ground for the conclusion that they are equally applicable to any other similar case. In referring to the special effect of the new reservation the Decree uses the words *huius reservationis ea vis est*, etc. The Penitentiary was not concerned with the general question of sins reserved *ratione sui*, but with one particular such sin, to which *this particular reservation* is attached. If the Penitentiary meant to make a general declaration on the matter—and we should hardly consider it likely in connexion with a particular case—we might expect to find, instead of *huius reservationis ea vis est*, etc., *talis reservationis*, etc.

Therefore, we do not think that the new excommunication, specially reserved to the Holy See, is henceforward also attached to the sin of false denunciation in Canon 894, or to any other sin that may subsequently be reserved *ratione sui* to the Holy See, without express mention of the fact.

DISCHARGE OF PENANCE BY ANOTHER. CAUSE REQUIRED FOR DISPENSATION

REV. DEAR SIR,—(a) A confessor imposes as a penance the giving of an alms to a specified charity. Does the penitent satisfy by getting a friend to give the alms, as he finds it inconvenient to do so himself?

(b) May a confessor lawfully dispense from the fast when he is in doubt about the sufficiency of the cause alleged?

READER.

(a) No; the penance imposed in confession must be performed personally by the penitent, unless the confessor expressly permits him to discharge it by another. There is a condemned proposition which says: 'A penitent may on his own authority substitute another to perform the penance in his place.'¹ It may be questioned whether such a penance as the above was reasonable in the circumstances.

(b) He may; a dispensation may be lawfully asked for and lawfully and validly granted when there is doubt of the sufficiency of the cause (Can. 84, § 2).

P. O'NEILL.

¹ Prop. 15 condemned by Alexander VII; Denzinger, n. 1115.

CANON LAW

THE JUBILEE

THE Jubilee of the Holy Year, which, since the time of Pope Paul II, is celebrated at the end of every quarter of a century, is called an ordinary jubilee, to distinguish it from those jubilees which the Popes proclaim from time to time for the purpose of commemorating or celebrating some special event in the life of the Church, and to which writers give the title of extraordinary. In comparatively recent times two of these extraordinary jubilees have been celebrated: in 1904 Pope Pius X made the fiftieth anniversary of the solemn definition of the Immaculate Conception an occasion for opening wide the treasure house of the Church and distributing with a lavish hand those favours which a jubilee connotes; and again, in 1913, the proclamation of a jubilee was one of the means taken by the same Pontiff to celebrate the sixteenth centenary of the liberation from the persecution of the civil authorities which the Church achieved for itself through the conversion of the Emperor Constantine to Christianity. Our present Holy Father, Pope Pius XI, through the constitution, *Auspicantibus Nobis*,¹ has published an extraordinary jubilee for this year. The fiftieth anniversary of his ordination to the priesthood occurs this year; and what could be more natural than that he should ask his faithful children, scattered throughout the world, to join with him in praising God for the signal manifestation of His favours which this event implies? To induce them to do so with greater alacrity, to make them fuller participators in his own joy, as well as to promote the general well-being of the Church, he has made the Golden Jubilee of his own ordination the occasion for proclaiming a jubilee for the entire Church, in which he bestows, with even greater liberality than was customary on former occasions, all those favours which are usually associated with such a proclamation.

Needless to say, the constitution, *Auspicantibus Nobis*, is a document of great practical importance; and hence some notes on it cannot fail to be of interest, and perhaps also of assistance, to our readers.

DURATION OF THE JUBILEE

In accordance with the terms of the constitution the jubilee may be gained from the day of its promulgation until the 31st December, that is to say, during practically the whole of 1929. Extraordinary jubilees are usually not granted for so long a period. Thus the jubilee of 1904 lasted only from the 21st February to the 11th June, and that of 1913 from Low Sunday until the Feast of the Immaculate Conception.

¹ See present issue of I. E. RECORD, p. 308.

WORKS PRESCRIBED

The works to be performed in order to gain the jubilee indulgence are visitation of churches, fasting and abstinence, confession, communion and almsgiving.

Visitation of Churches.—We shall deal with the visitation of churches only in as far as it concerns those who perform this work outside of the diocese of Rome; for the diocese of Rome itself there are special regulations. ‘Everywhere outside of Rome,’ the constitution states, ‘we prescribe two visits to be made with devotion, either on the same or different days, in churches or public oratories, in which Mass is usually celebrated, which shall be designated by the local Ordinary or through his mandate; but if there are not so many temples in any place, three visits should be made in two, or six in one temple.’

Normally, therefore, two visits must be made to each of three designated churches or public oratories, in which Mass is usually celebrated. By a public oratory, of course, is understood one which is intended primarily, indeed, for the use of a community or of private persons, but to which the faithful generally have the right of entrance at least during the celebration of the divine offices.¹ The oratories of communities of nuns and sisters, of colleges and seminaries, and of pious institutions, such as hospitals, do not usually belong to this category, and hence they cannot be designated. The designation of the churches or oratories to be visited must be made either by the local Ordinary himself or by some other person authorized by him, such as a Vicar Forane, parish priest, etc.

If in any place there are not three churches or public oratories, three visits may be made in two, or six in one church or oratory. As far as the strict letter of the law is concerned, even in places in which there are two churches or public oratories, it will suffice if one is designated; but it is clearly more appropriate that in such places the two should be designated. In this connexion the old question as to what precisely is a ‘place,’ again comes up for discussion. We cannot do better than quote what we wrote on the point when dealing with the extension of the ordinary jubilee of 1925:—

‘The most important and difficult question in this connexion is to determine the precise signification of *locus*—the territorial unit indicated for the designation of churches. Well, negatively, *locus* is not the same as parish in this connexion. If parish were intended to be the unit, the word “parish” would certainly have been employed; it is a term which is understood by all the faithful, and affords not the slightest ground for ambiguity. Furthermore, in the constitution, the episcopal city or town comes under the designation, and the episcopal city may, and *de facto* sometimes does, contain several parishes. Commentators, too, who considered the point in connexion with the jubilee of 1901 were unanimous, or nearly so, in holding that *locus* and “parish” were not synonymous.² Thus Dr. Mannix, in the I. E. RECORD of that year,

¹ Cf. Can. 1188, § 2, 1°.

² Cf. *N. R. Théologique*, 1901, p. 188 et seq.

stated that: "In extensive parishes, where different churches are designated for the convenience of persons living in districts far apart, a person from one district can make his visit to the church of another district of the parish, provided, of course, he fulfils the conditions required in that district." ¹

Locus, then, is not the same as parish: we consider that the term must be given its ordinary signification, that is to say, a territory distinct from other territories, having a distinct name and a people distinct from other peoples. Hence it is quite possible that a 'place' may be rather limited in area and population, and may be separated only a short distance from another 'place.' Thus, the Datary, dealing with *angustia loci*, declared that: 'Non officit quod locus angustus parum ab alio dissitus existat, dummodo ista duo loca sint inter se distincta, ac diversam propriamque denominationem habeant' ²; and Ojetti, writing on the same subject, states that: 'Even in a large parish, which comprises several distinct places, *angustia loci* may exist.' ³

The practical interpretation of the term for designating churches will not, as a general rule, cause much difficulty. A city or town, even though it contains several parishes, must be considered as only one 'place'; on the other hand, parishes extending over a large area, and having two or more churches in different districts, contain, generally speaking, as many places as there are districts with churches. ⁴

The six visits, whether to one or several churches, may be made on the same or different days ⁵; and hence this condition may be fulfilled in one day; in the extended jubilee of 1925 visitation of churches had to take place on four distinct days.

The visits should be devotional, that is to say, not merely the stay in the church, but also the entry into it should be an act of religion. ⁶ Hence, if one enters a church through curiosity or some similar motive, this condition is not fulfilled. On the other hand, it will be quite sufficient to enter it for the purpose of making a jubilee visit. During the stay in the church prayers must be offered for the intentions prescribed by the Pope. Although the constitution does not explicitly state this in regard to the visits to be made outside of Rome, still it is abundantly clear from what is said in connexion with the visits to be made in Rome itself, and from analogy with all previous jubilees. In regard to the faithful themselves, it is our Holy Father's special desire that they should so use the abundant aids to salvation which he has provided this year that morals may be improved, faith strengthened, and piety stirred up; the other intentions which he proposes in this jubilee are the conversion of sinners generally, the extirpation of heresies and schisms, peace and harmony amongst all rulers, so that the

¹ I. E. RECORD, p. 453.

² Cf. Ojetti, *Synopsis*, vol. i. p. 231.

³ I.e.

⁴ Cf. I. E. RECORD, Fifth Series, vol. xxvii. pp. 292, 293.

⁵ Cf. *Const. Auspicantibus Nobis*.

⁶ Cf. Bened. XIV, *Inter praeteritos*, n. 76.

exaltation, prosperity and liberty of the Catholic Church and of its Head, the Vicar of Christ, may be more easily attained. When praying for the Pope's intentions one need not necessarily have them before one's mind¹; in fact, although some writers at one time taught the contrary,² it is not necessarily, absolutely speaking, that one should ever have had explicit knowledge of them at all. Nevertheless, from the very nature of things, it is much more appropriate that the faithful should have this explicit knowledge even at the time when the prayers are being offered. The prayers to be said must be vocal,³ but nothing is stated as to their character or duration; it is generally taught that the five *Paters* and *Aves*, or any prayers of equal length, will suffice.

The visits must not be obligatory by law or precept.⁴ Hence one who goes into a church for the purpose of satisfying the obligation of hearing Mass on Sunday, must leave it and re-enter in order to make a jubilee visit. On the other hand, one who goes into a church to make a jubilee visit, may afterwards fulfil the Sunday obligation without leaving the church.

When several visits are made to one church on the same day, it is necessary that they should be distinct, and hence, that one should leave the church and re-enter it after each visit.

In accordance with the express terms of the constitution, the visits may be made partly in one diocese and partly in another; and in the same diocese, partly in one place and partly in another; always, however, it is necessary that they should be made in designated churches or oratories.

The Ordinary may reduce the number of visits for those who make them processionally under the leadership of a parish priest or some other designated priest. In order, therefore, that the privilege of reduction for processional visits may be granted by the Ordinary and enjoyed by the faithful, it is necessary that the processions should be led by a designated priest. Parish priests are designated by the constitution itself to lead processions of their own parishioners, and, it seems to us, they may designate other priests to take their places; in other cases it is clear that the designation must be made by the Ordinary. Since no restriction is made, the faithful may join the procession, not only of their own, but also of any other parish.

For a processional visit it is necessary that the church should be entered processionally, since the entrance forms part of the visit. Whilst it is useful and becoming that prayers should be said during the procession, they are absolutely necessary, just as in ordinary visits, only during the stay in the church. Furthermore, as a general rule, it is necessary that all who take part in the procession should enter the church⁵; but if, however, it is not sufficiently large, those for whom

¹ S. C. Indulg., 12th July, 1847.

² Cf. De Lugo, *De Sacram. Poenit.*, disp. 27, vi. n. 82.

³ Cf. Can. 934, § 1.

⁴ Cf. Can. 932.

⁵ Cf. *N. R. Théologique*, 1901, p. 201.

there is no accommodation will fulfil the requirements by joining in the prayers from outside.¹

Fasting and Abstinence.—The second work prescribed is fasting with abstinence. In order to gain the jubilee it is necessary that one should fast and abstain in accordance with the regulations of the canons of the Code of Canon Law on two days other than those on which fasting and abstinence are of precept. The only point of any difficulty in connexion with this condition is to determine whether one may fulfil it on a day on which abstinence alone or fasting alone is obligatory by law or precept. The pertinent words of the constitution are somewhat ambiguous: *Duobus diebus, praeter illos in quibus jejunium et abstinentia ex praecepto obligant.* Usually the particle *et* has a copulative signification; and, consequently, if the solution of the problem were dependent on these words alone, one should conclude that the only days excluded are those on which both fasting and abstinence are obligatory. But it is recognized also that *et* is capable of a disjunctive meaning, at least in ecclesiastical Latin. In proof of this it will suffice to quote the following query answered by the Code Commission on the 20th May, 1923: ‘*Utrum particula et Canonis 1391, quo praescribitur: Versiones . . . nisi edantur sub vigilantia Episcoporum et cum adnotationibus, etc., interpretanda sit copulative;—an disjunctive.*’ True, indeed, the reply was that in this particular case *et* was copulative; but the very fact that the query was put in this form constitutes an admission that this particle is capable of having a disjunctive meaning also. Now, there are a couple of considerations which make it certain, it seems to us, that in the present instance it has this disjunctive sense. In the first place, canon 932 states generally that an indulgence cannot be gained by a work to which one is obliged by law or precept, unless the contrary is expressly stated in the concession of the indulgence. Accordingly, since fasting and abstinence are two distinct things, if either the one or the other is obligatory by law or precept, it cannot avail for gaining the jubilee indulgence, unless the contrary is expressly stated; and there is no such statement in the constitution. Furthermore, if this condition regarding fasting and abstinence could be fulfilled on days on which either fasting or abstinence were obligatory by law or precept, the condition would be rendered nugatory to a great extent; and this constitutes a confirmatory reason for rejecting such an interpretation of it. On these grounds we are of opinion that the *et* in the words quoted has a disjunctive meaning, and that one cannot fulfil the condition in regard to fast and abstinence on days on which either fasting or abstinence is obligatory by law or precept.

Confession.—Confession is also necessary in order to gain the jubilee indulgence. Let us quote the words of the constitution in regard to this condition: ‘*Confessionem sacramentalem rite instituant, in qua a peccatis absolvantur, praeter confessionem annuam praecepto communi injunctam.*’ Clearly, in this jubilee not merely confession but also absolution is required in all cases. In former jubilees absolution was

¹ Cf. *Monita* for Jubilee of 1925, n. xv.; *N. R. Théologique*, l.c.

not explicitly mentioned; and hence, in case of those who were not in mortal sin, it was generally taught that confession alone sufficed.

From the words of the constitution, just quoted, and also from the nature of the case, it is abundantly clear that a sacrilegious confession does not fulfil this condition.

The obligatory annual confession will not avail for the jubilee: the words of the constitution and also canon 932 are quite explicit on the point. This regulation gives rise to a difficulty in the case of those who may have need to utilize the special jubilee faculties. We discussed this matter when dealing with the extended jubilee of 1925, and shall quote what we wrote on that occasion:—

‘A serious difficulty, however, does arise in this connexion when there is question of those who are in a state of mortal sin, especially if they have incurred serious reservations. The trouble is due to the principle—universally admitted—that one who performs the work commanded by a law fulfils the law, even though one may expressly intend not to do so. In the light of this principle it would seem that, in the case contemplated, the first confession must necessarily be the annual confession, in which the jubilee faculties cannot be utilized; and that a second confession must then be made in order to gain the jubilee. There is no doubt that the Holy See may derogate from this principle, and there are many who think that it has done so for jubilee confessions. According to them, in the case under consideration, the jubilee confession can be made first and the jubilee faculties utilized therein, the obligation of annual confession remaining should the penitents in question afterwards fall again into mortal sin. Lehmkuhl and others who, like him, support this view, quote in its favour the following decision of the Sacred Penitentiary given in connexion with the jubilee of 1875:—

“Ex S. Poenitentiariae responsis certum est, haud satisfieri posse praecepto et jubilaeum lucrari unica confessione et Communione; potestne unus et alter attingi finis duabus Communionibus et unica confessione?”

“Affirmative, firma tamen manente obligatione satisfaciendi, si nondum quis satisfecerit, praecepto annuae confessionis.”

‘Whatever may be the value of this decision in the form quoted, it is, unfortunately, not authentic. The late Archbishop of Dublin, the Most Rev. Dr. Walsh, sought information regarding it from the Sacred Penitentiary in 1901, and received the following reply:—

“Responsonem S. Poenitentiariae anni 1875, prout refertur, non esse authenticam, sed veram responsonem fuisse ut sequitur: *duas requiri confessiones, unam pro lucrando Jubilaeo, alteram pro praecepto annuae confessionis.*”¹

‘From the decision in this form Lehmkuhl’s view certainly derives no support, though, personally, we do not think that it necessarily excludes it. The strongest argument, it seems to us, in favour

¹ Cf. I. E. RECORD, June, 1901, pp. 465 et seq.

of this opinion is the consideration that to require the precept of annual confession to be first fulfilled would render futile to a considerable extent the jubilee indulgence, and more especially the jubilee faculties. It is a matter in which a decision is long overdue, but, until a decision is given, we think that, for the reason just mentioned, and in consideration of the number and authority of its supporters, this view may be followed.¹

If anyone, after having made his confession, falls again into mortal sin before the completion of the works, he must repeat the confession if he has still to receive Holy Communion; otherwise it will be sufficient for him to become reconciled with God by an act of perfect contrition.²

Communion.—The reception of Holy Communion is another of the prescribed works: ‘Ac sancta Eucharisticae communione pie reficiantur, praeter communionem paschalem.’ In view of these words and also of canon 932, Paschal Communion will not suffice. Communion in the form of Viaticum, however, will. Needless to say, a sacrilegious communion does not fulfil this condition.

Almsgiving.—Finally, it is necessary that each one, after consultation with his confessor, should give to some pious work an alms proportionate to his means and in accordance with the dictates of his piety. This condition applies to all, but in the case of those who are unable to fulfil it, such as the poor, religious, etc., it can be commuted to some other work. It may be fulfilled by giving not merely money, but also food, clothing or corporal assistance of any kind³; spiritual aid, however, does not suffice. It is not necessary that alms should be given personally, but when they are given by another it should be with the consent, and according to the intention, of the person for whom they are given⁴; and hence, for example, fathers may give alms for their children, and the superiors of religious institutes for their subjects. A person, too, in giving alms out of his own resources may use an intermediary; and, in accordance with the common teaching, this condition is sufficiently fulfilled, even though the intermediary does not actually distribute the alms.⁵

The constitution states that the alms should be given *audito confessarii consilio*. Similar words were used in connexion with the jubilee of 1886; and in regard to them the following query was submitted to the Sacred Penitentiary:—

‘Does one who, although not having consulted a confessor, gives the prescribed alms in accordance with his means gain the jubilee?’

The answer was: ‘The advice of a confessor is to be taken by those who doubt about the amount of the alms sufficient for them.’⁶

Accordingly, in this jubilee also only those who have doubts about

¹ I. E. RECORD, Fifth Series, vol. xxvii. pp. 298, 299.

² Cf. *Monita* of 1925 Jubilee, n. xiii.

³ Cf. Collet, *De Jubilaeis*, cap. iii. art. iv. n. 45.

⁴ Cf. Beringer, *Les Indulgences*, tom i. n. 1007; Collet, l.c. n. 42.

⁵ Cf. Collet, l.c. n. 45 et seq.; Lehmkühl, *Theol. Mor.*, vol. ii. n. 548.

⁶ *N. R. Théologique*, 1886, p. 90.

the amount of the alms which they should distribute need consult a confessor.

In regard to the amount to be given the constitution states that the alms should be in proportion to each one's means ; the pertinent words are : *Pro sua quisque facultate*. When almsgiving is prescribed without qualification or qualified by such clauses as *pro pietate*, *pro arbitrio*, etc., all are agreed that the same amount will satisfy for rich and poor alike ; on the other hand, when a clause such as *pro sua facultate* is employed, it is necessary that the alms distributed should bear some proportion to the means of the donor. In the jubilee of 1886 almsgiving was also prescribed *pro sua quisque facultate* ; and doubts regarding its implications provoked the following query :—

‘ Does one who gives an alms not proportioned to his means gain the jubilee ? ’

The Sacred Penitentiary replied that : ‘ The amount itself should correspond to the means of each individual in the sense that what was sufficient for the poor was not sufficient for the rich.’¹

On this reply the *N. R. Théologique* of 1886 made the following comment :—

‘ Il en résulte . . . Qu'il faut prendre aussi avec une certaine largeur les mots : *Pro sua quisque facultate*, et estimer moralement ce que les moyens de chacun lui permettent de donner. Pratiquement, il n'était pas possible d'agir d'une autre façon. Les riches doivent donner plus que les pauvres ; voilà ce que demande la Bulle, et ce que nous avons dit.’²

The words, *Pro sua quisque facultate*, can be interpreted in same way in the present jubilee, and hence it is unnecessary that a mathematical ratio between alms and income should be observed ; provided a rough proportion is maintained, so that the rich give more than the poor this condition is sufficiently fulfilled.

We have seen no attempt anywhere to reduce this general theory to practical figures ; and therefore it is with considerable diffidence that we suggest a scale to meet the jubilee requirements. We have already stated that, for those who are very poor and are consequently unable to fulfil this condition, it may be commuted to some other work ; but if, notwithstanding their poverty, the very poor desire to fulfil it, then any small sum, even a penny or twopence, will be sufficient for them. For ordinary workmen one shilling seems to us to be quite enough ; for those in a somewhat higher grade from the viewpoint of worldly wealth, such as skilled artisans, medium-sized farmers, etc., the requisite amount would be about half a crown ; the fairly well-to-do middle classes should give about five shillings ; and finally from the rich a sum of ten shillings to a pound is required. This scale is simply our own personal notion of what would meet the requirements of the general theory, and is not intended to be in any way final or to be of obligation on any one. Perhaps, however, it may be of some assistance to those who find it difficult to make up their minds on this matter.

¹ *N. R. Théologique*, l.c. p. 24,

² l.c. p. 92.

The alms may be given for any pious work, but the Holy Father recommends one especially for the consideration of the faithful, viz., the Work of Propagation and Preservation of the Faith.

RELAXATIONS OF THE PRESCRIBED CONDITIONS

The works with which we have been dealing must be performed normally in order that the jubilee indulgence may be gained. In the case of those who are unable to perform any or all of them relaxations are granted. The constitution deals with this matter in two distinct paragraphs: one regards the faithful generally, the other religious.

I. In regard to the faithful generally it states that: 'Confessors can dispense, by commuting the prescribed works into another work, the faithful who shall have been prevented by any just and reasonable cause whatever from properly performing any of the works enumerated or even all of them.'

Accordingly the relaxations for the faithful generally can be granted only by confessors. There is no doubt that confessors can exercise this power in the sacrament of Penance. Can they exercise it also outside of the sacrament? Under the pre-Code discipline, in virtue of a general regulation of Pope Benedict XIV,¹ which held unless the contrary was stated in any particular jubilee, they could not. There is, however, now no rule of this nature, and hence, since the constitution makes no distinction, we are of opinion that they can exercise the power outside of the sacrament. Moreover, confessors have got power to commute all the works including confession itself, and power to commute the confession into some other work implies the exercise of the power outside of the sacrament. The fact, too, that confessors, as we shall see later, may use the special jubilee faculties—except the power to absolve from sin—outside of the sacrament of Penance is a further indication that they may exercise their power of commuting the prescribed works in the same way.

The power of commutation can be exercised only in favour of those who are prevented by a just and reasonable cause from performing any or all of the prescribed works, and only in as far as the impediment exists. Hence, for example, in the case of those who are unable to fast but can without difficulty fulfil the other conditions, the confessor can commute only the fast, and similarly in regard to the other works. It is the general teaching that prayers for the intentions of the Holy Father are separable from the visits to churches; and, accordingly, should the visits be commuted, the prayers still remain obligatory.

Although the constitution does not explicitly state so, still, in view of canon 932, and also of the traditional practice in this matter, the substituted works must not be obligatory by law or precept. Hence the hearing of Mass on Sunday in satisfaction of the ecclesiastical precept, the obligatory recitation of the breviary, the Lenten fast and abstinence, etc., cannot take the place of the prescribed work.

¹ *Convocatis*, n. xxv.

Furthermore, in accordance with the general teaching, the substituted works should be, morally speaking, of the same value as those originally prescribed. From the very nature of the case, however, this does not hold true for those who, through ill-health, old age, etc., are unable to perform works of equal value; in such circumstances a confessor in exercising his powers of commutation must accommodate himself to the condition of the particular individual concerned.

Power is given to commute all or any of the prescribed works. Visitation of churches, almsgiving, and fast and abstinence are the works in regard to which the power will usually have to be exercised. In the case of mutes mental prayer for the Pope's intentions may be substituted for the oral prayer normally necessary, but for them impossible. Commutation of communion must take place when, through disease, one is unable to receive the Sacred Species or retain them in the stomach. Although one may envisage circumstances in which confession may be commuted, for example, in the case of certain nervous disorders, still such circumstances are so rare that the commutation of this work is hardly a practical matter.

II. The special regulations for religious in connexion with the relaxation of the conditions normally necessary for gaining the jubilee indulgence have reference to the dispensing authority; otherwise, from the juridical standpoint, they are in the same position as the faithful generally, and what we have just written about commutation for the faithful generally applies equally to them. In regard to the dispensing authority the constitution distinguishes between clerical and lay Congregations. In clerical Congregations, that is, those in which most of the members are promoted to the priesthood, the immediate superiors can dispense their subjects both individually and collectively, commuting the prescribed works into others which are not obligatory by precept. On the other hand, in lay Congregations, to which communities of nuns and sisters, Christian Brothers, etc., belong, the dispensing authority is that priest to whom their government in the external forum is committed. When a community belonging to a Congregation of this kind is immediately subject to a Regular Superior, he is the priest contemplated in this regulation. In some Congregations which are not subject to Regular Superiors, for example, the Mercy and Presentation Sisters, the constitutions contemplate the appointment by the Bishop of a priest for each community to assist in its government; and, when a priest has been thus appointed, he can exercise in favour of the community subject to him this dispensing power. Parish priests as such have not charge of the government of religious communities in the external forum. Whenever a community is not subject in this way to a priest secular or regular, in our opinion, the Bishop himself may grant the necessary commutations; he is a superior in the external forum of all such communities. The priest or Bishop, as the case may be, can, of course, use this power, either in individual cases or collectively for whole communities. In both clerical and lay Congregations, whenever the necessity arises, confessors may exercise this power of commutation in individual cases.

FACULTIES GRANTED TO CONFESSORS

General remarks.—Confessors in absolving and dispensing must observe the discipline introduced by the Code of Canon Law; so that in this matter the only modification effected by the jubilee is an extension of confessors' powers.

Extraordinary faculties are not suspended during this jubilee, and hence confessors will enjoy not merely the special faculties conferred by the constitution *Auspicientibus Nobis*, but also any others of which they may have been previously in possession. The special jubilee faculties can be exercised several times in favour of the same penitent, but only when the indulgence is being gained for the first time and before all the prescribed works are completed.

The faculties of absolving and dispensing can be applied only to those who have a sincere intention of gaining the jubilee and of performing the prescribed or commuted works. If, however, those who have already had the faculties applied in their favour are prevented by a reasonable impediment from performing the works, the Holy Father decrees that the application will remain valid. One implication of this is that the application will be withdrawn, in as far as it is within the competence of the Church to withdraw it, in the case of those who, without having a reasonable excusing cause, fail to complete the prescribed works; and hence censures which have been absolved will be re-imposed and dispensations of vows will be cancelled; from the very nature of the case, however, absolution of sin must remain unaffected. This implication carries with it another: the obligation to complete the works and gain the jubilee in the case of one who has obtained an application of the faculties in his favour is a grave one.

Priests may exercise the jubilee faculties only within the limits of the jurisdiction, ordinary or delegated, which they have received from their Ordinaries. Hence limitations in regard to persons, places, times, etc., with which their jurisdiction may have been circumscribed by their Ordinaries, must be observed in the exercise of the jubilee faculties also. In former jubilees it was usual to make some special provision in regard to confessors for nuns and sisters, but the general law on this matter has been so relaxed that evidently further concessions for the purposes of the jubilee were deemed unnecessary.

The faculties both of absolving and dispensing are restricted to the forum of conscience, but in this forum they may be exercised, not only in the sacrament of Penance, but also outside of it; absolution from sin, of course, from the very nature of the case, can be given in the sacrament.

Faculties of Absolving.—The general principle is that confessors can absolve from all cases, whether episcopal or papal, reserved either *ab homine* or *a jure*, and either with or without censure. To this general principle there are a number of exceptions:—

- 1°. Cases which involve a violation of the secret of the Holy Office.
- 2°. Cases which are reserved in a very special way to the Holy See, and which are enumerated in canons 2320, 2343, 2367 and 2369.

3°. The sin committed by confessors who absolve those whom they know in any way whatever to belong to *L'Action Française*, and who, after having been warned, refuse to withdraw from it.

Faculties of Dispensing.—Confessors, for a reasonable cause, may dispense from all private vows, even though they have been confirmed by an oath, with the exception of those that are reserved to the Holy See by canon 1309, and of those that have been accepted by a third person, for whom accordingly the dispensation would be an injury, unless he renounces his right. A private is distinguished from a public vow; it is one which has not been accepted in the name of the Church by a legitimate ecclesiastical superior. The vows taken by religious at their profession are public; and hence confessors have no power to dispense from them. The private vows that are reserved to the Holy See by canon 1309 are the vow of perfect and perpetual chastity and the vow of entering a religious institute of solemn vows, but only when one has taken them absolutely, and after one has completed one's eighteenth year. When a private vow is accepted by a third party, something is promised to this third party; and hence a dispensation from it will prejudice his rights; it is reasonable, therefore, that a renunciation on his part should be made a condition of the dispensation.

Penal vows, that is, vows which have been taken as a punishment for sin and as a preventive of future falls, may be commuted—not dispensed, but only into some work which is equally effective as a remedy against sin.

NUMBER OF TIMES JUBILEE MAY BE GAINED

The jubilee faculties, as has been already stated, may be exercised several times in favour of the same penitent, but only whilst the jubilee indulgence is being gained for the first time. The plenary indulgence, in accordance with the express terms of the constitution, may be gained as often as the prescribed works are performed.

OTHER FAVOURS DURING THIS YEAR OF JUBILEE

1°. Other indulgences for works distinct from those prescribed for the jubilee continue during this year, and are applicable not merely to the dead, as was customary on former occasions, but to the living also.

2°. The Holy Father has also granted another special indulgence, viz., seven years and seven quarantines for those who pray for his intentions for some time in the presence of the Blessed Sacrament, either exposed for adoration or enclosed in the tabernacle, without prejudice to any other indulgences which may be attached to the prayers recited. Furthermore, one who continues this pious practice daily for an entire week may gain a plenary indulgence on the usual conditions.

3°. Finally, priests have received 'a personal privilege in virtue of which they can, by celebrating the Sacrifice of the Mass, apply every day a plenary indulgence to one soul detained in Purgatory.'

Evidently there is question of a personal privileged altar; and hence the plenary indulgence can be applied only to the person for whom the Mass is celebrated. A Requiem Mass, however, is not necessary, even on days on which the rubrics permit it.¹ The plenary indulgence of a privileged altar differs from others in that it does not depend on the personal dispositions of the priest, but is gained infallibly by the celebration of the Mass. The extent of its application depends, however, on the Divine Will; and hence, although of its nature it is capable of securing liberation from Purgatory forthwith, it does not by any means follow that this will infallibly happen, and that no further suffrages for the deceased are necessary.²

J. KINANE.

¹ Cf. *Acta Apost. Sedis*, 1913, p. 122.

² *Decret. Auth.*, S. C. Rituum, n. 283:—'Per indulgentiam altari privilegiato annexam, si spectetur mens concedentis et usus clavium potestatis, intelligendam esse indulgentiam plenariam quae animam statim liberet ab omnibus purgatorii poenis; si vero spectetur applicationis effectus, intelligendam esse indulgentiam, cujus mensura divinae misericordiae beneplacito et acceptationi respondet.'

LITURGY

**QUERIES REGARDING COMMUNION OF THE SICK 'INTRA
MISSAM AND EXTRA MISSAM'**

REV. DEAR SIR,—A sister lies in a room adjacent to and opening into one in which is a permanent altar structure, without Tabernacle. This altar is within earshot, but out of her view.

I. If a priest happens to say Mass at this altar, may he, *intra Missam*, bring her the Viaticum or Communion '*devotionis causa*'?

II. Apart from Mass, when administering the last Sacraments to her, may this altar be used, or must a table-altar be provided in her room for the ciborium and Holy Oils? There is no inconvenience in doing so.

III. If the permanent altar is used, where ought the *Ecce Agnus Dei*, etc., be said?

IV. Also, is the Blessed Sacrament to be taken into her room for the Blessing, whether given at the permanent altar or in her room?

V. When giving her alone Communion of devotion from this altar, ought the *Agnus Dei*, etc., be said in her room?

CHAPLAIN.

I. A rubric of the new Ritual, which is the same as Canon 868 of the Code, seems to be quite definite on this point. It reads as follows: 'Sacerdoti celebranti non licet Eucharistiam intra Missam distribuere fidelibus adeo distantibus ut ipse altare e conspectu amittat.'¹ This demands that the celebrant in giving Communion within Mass should keep the altar within view; in other words he is not permitted to administer Communion, whether as Viaticum or '*devotionis causa*,' to people so far distant that he cannot see the altar on which he celebrates. Manifestly, on entering another room he goes out of sight of the altar of celebration, and this is, precisely, what is forbidden. Prior to the publication of the Code, the discipline in this matter does not appear to have been so strict, and authors generally were inclined to accept the ruling of a decree issued in 1874. In that year a query² was submitted to the Sacred Congregation as to whether Communion might be administered during Mass to invalids in hospital wards attached to a church or oratory, or in beds adjacent, from which the altar of celebration was not visible, but the voice of the celebrant could be heard, and the reply was '*nihil obstat*,' provided in going from the altar the *umbrella* was held over the priest. That decision, however, though it still appears among the authentic Decrees, must be regarded as set aside by the new legislation.

¹ Tit. iv., c. i. n. 17.

² Decr. 3322.

But in reality the present rule is only a reversion to the discipline that prevailed before 1874. So far back as 1829 the Sacred Congregation in reply ¹ to a similar query, stated as follows: 'Insuper animadvertendum, quod si celebrans pro viatici administratione intra missam Altare e conspectu suo amittat, hanc administrationem non licere.'

If, therefore, Communion, whether as Viaticum or '*devotionis causa*,' has to be brought to invalids outside the oratory or chapel, the ceremony should take place before or after the Mass, *not* during it.

II. This rubric, however, is concerned solely with the administration of the Viaticum within the Mass—insisting, as it does, that the priest should not lose sight of the altar of celebration. It has nothing to do with the administration of the last Sacraments apart from the Mass. But we think that this matter is sufficiently provided for in the Ritual in the chapter entitled '*De communione infirmorum*.' All the directions of the Ritual presuppose that a table-altar is erected in the room or place where the sick person is, and rubricists enjoin that the table should, if at all possible, be placed at the foot of the bed, so that the sick person may see the crucifix, etc., and the several actions of the priest incidental to the ceremony. Thus, the Ritual (Tit. iv. n. 14, etc.): '*(Sacerdos) ingrediens vero locum, ubi jacet infirmus dicit. Pax huic domui, etc.; aspergit infirmum et cubiculum: . . . deinde facta genuflexione accipit Sacramentum de vasculo, atque illud elevans ostendit infirmo: et infirmus simul cum Sacerdote, dicit eadem verba saltem senel; . . . et cum sacramento in pyxide . . . facit signum crucis super infirmum.*' We do not think it can be seriously held that the two rooms in the case are morally one, so that on entering the room having the permanent altar, the priest can be said to have entered the place *ubi jacet infirmus*. This is true in case of a dormitory or hospital ward where there are several beds; but surely a room with a permanent altar, and a sleeping cell, even though they are adjacent and open by a door into one another, must be regarded as separate rooms. And if it is considered that the permanent altar in the case would be more suitable or becoming as a rest for the ciborium, we can only say that a table with a clean white cloth on which there is placed a corporal, fulfils the prescription of the Ritual, which is an all-sufficient guide in the matter.

III. If the permanent altar is used, everything, except the actual Communion, should take place at the altar, as in an ordinary Communion in the church. Hence, the *Miseratur*, *Ecce Agnus Dei*, and the Blessing with the ciborium at the end. But in passing from the altar to the sick room we think the *umbrella* should be used in accordance with the direction of the decree,² already cited.

IV. In giving the Blessing, whether in the room or at the permanent altar, the ciborium should be covered.

V. There is no difference between the Communion of devotion and the Viaticum, except in the form—*Accipe soror*, etc.

¹ Decr. 2672.

² 3322.

DISTRIBUTION OF HOLY COMMUNION WHILE MASS IS BEING CELEBRATED. A PRIVILEGED REQUIEM MASS AND THE EXTENT OF THE PRIVILEGE

REV. DEAR SIR,—I should be grateful if you would remove my perplexity on the following points:—

I. In some churches, owing to the numerous communicants, it is necessary for one or more priests to distribute Holy Communion during the whole time Mass is being celebrated immediately behind them. What should these priests do during the Consecration? This was a question proposed at a diocesan conference sometime ago, and the answer given was: The priest giving Holy Communion should, at each Consecration, turn towards the altar, genuflect on one knee, and immediately continue distributing Communion. I have seen this done; but I have also seen priests turn and remain facing the altar during the whole consecration. Hence, *incipiti sum animo*.

II. In chapter iii. 6, of the *Additiones et Variationes* of the Missal it is stated that on certain privileged days there is permission for ‘*unica Missa pro Defuncto; cantata vel etiam lecta.*’ What interpretation is to be given here to *unica*? Are we to understand that the privilege of offering a Requiem Mass on such occasions is restricted to one priest? If so, what is to be said of the custom prevailing in certain places, of two or more priests, attached to the same church, offering Requiem Masses’ Memories’ or Anniversaries at the request of the relatives of the deceased?

III. In view of the fact that John Mary Vianney (Curé of Ars) has been canonized, is there any reason why the letter ‘B’ has been placed before his name in the new *Ordo* on August 9.

PERPLEXED.

I. On the point at issue we do not remember having come across any decree; but rubricists generally prescribe the second course, and we are accustomed to teach it as correct. For instance, Van der Stappen writes¹ as follows: ‘*Infra distributionem solummodo attendit ad Sacramentum quod in manibus tenet, praterquam sub Consecratione et Elevatione; tunc non quidem genuflectit sed se sistit versus Altare cum pyxide in manibus, donec praeacta sit Elevatio.*’

II. We cannot understand how a difficulty has arisen regarding the interpretation of this simple clause. One Requiem Mass (and *one only—unica*) either sung or read is allowed in *each* church or oratory on these privileged occasions. If more than one Requiem Mass is celebrated in any church for the particular intention, then either the rite of the day admits the celebration of the ordinary *Missa Quotidiana* or the rubrics are violated. The privilege in question is briefly the right to celebrate a Requiem Mass for the particular intention on a feast of double rite, on a simple Vigil, on the Ferials of Lent and the Ferials of the Greater Antiphons (before Christmas). The anniversary is a fixed date of the month, and the month’s mind is the thirtieth day, counting either from the death or the burial, or any day between. If two or more priests,

¹ *De Administrative Sacramentorum*, q. 192.

therefore, attached to a church, have received *honoraria* for the same intention, it will be necessary to have an understanding as to which of them shall avail of the privilege of a *Requiem* Mass on the day.

III. None that we know of except that the official¹ announcement of the new Office and Mass of the Saint is headed: 'Beati Joannes Mariae Vianney Confessoris.'

DELAY IN PROCURING THE HOLY OILS

REV. DEAR SIR,—It was formerly the custom here to secure the Holy Oils on Tuesday, or Thursday, after Easter, which were, respectively, Conference Days. Only the priests in the vicinity of the Cathedral received them on Holy Thursday and Good Friday. The Oils may now be had at the Conference centres, on Holy Thursday evening, and subsequent days. Are the priests justified in following the old custom, assuming there is no font to be blessed on Holy Saturday? And what is to be said of the Sacraments conferred with the old Oils between Holy Thursday and Tuesday or Thursday of Easter week? Is there any decree on the subject? DUBIUS.

That the parish priest is bound to procure the oils as soon as possible after they have been consecrated on Holy Thursday is clear from the rubric of the Ritual: 'Curet parochus, ut ea suo tempore quam primum habeat a suo Ordinario, et tunc vetera in ecclesia comburet.'² He will need them for the blessing of the font on Holy Saturday—a blessing which is prescribed to take place in all parochial churches—as well as for his ordinary ministrations, and no excuse of custom in a particular place can be accepted as justifying the delay in procuring them. The Sacred Congregation was asked on one occasion whether, owing to certain inconveniences, the distribution of the Oils might be deferred until Low Sunday, and the reply was 'Negative.' The annotator in the IVth Volume of the authentic decrees, commenting on this decree, says³: 'Nec dilationis causa peti potest ab inducta consuetudine, quae potius appellari debet abusus; damnandaque corruptela.' Nothing, according to him, but the necessity arising from great distance, difficulty of roads or the like, could justify such a delay, either on the part of those who receive or of those who distribute the Holy Oils. We do not think, therefore, that priests are justified in following the old custom, whether they have a baptismal font or not in their churches. It was, in our opinion, from the beginning, an abuse rather than a custom.

However, according to the rubric, the old Oils are not to be burned until the new ones are procured. These may be used in cases of necessity, pending the arrival of the new supply, and there need be no doubt as to the validity of the Sacraments conferred with them. The procuring of the new Oils is an ecclesiastical precept,⁴ not affecting the validity of the Sacrament.

M. EATON.

¹ Cf. I. E. RECORD, July 1928, p. 104.

² Tit. ii., c. iii. n. 48 (new Ritual).

³ *Decr. Authentica*, vol. iv. p. 284.

⁴ Cf. I. E. RECORD, October, 1922, p. 414; O'Kane, p. 107.

CORRESPONDENCE

THE MEDIUM, HOME

REV. DEAR SIR,—May I ask space for a few words of explanation in connexion with the article on 'Spiritism' in your last number. Dr. M. J. Browne says (page 122): 'Home was the greatest of mediums, and in a recent work Father Thurston says he was one of the few who was never convicted of fraudulent phenomena. Cardinal Mercier, on the other hand, mentions in his *La Psychologie* that Home, shortly before his death, confessed to a friend (Dr. Philip Davis) that he had disgracefully deceived the public as to the nature of his actions. "Ce n'était qu'un habile charlatan," adds the Cardinal.'

I find it hard to believe that the Cardinal, before writing this casual footnote, had himself examined the book here referred to, *La Fin du Monde des Esprits*. So far from expressing any doubt as to the reality of Home's phenomena, Dr. Davis more than once affirms his conviction that the medium's levitations, accordion-playing, etc., were produced without any sort of trickery, and that they were the result of what he calls 'psychic force.' 'Il y a dans l'homme,' he maintains (page 292), 'un fluide spécial qui parvient à produire des phénomènes de percussion, d'élévation, de transport à distance, etc.' Moreover, Dr. Davis assures us that in 1857 he had been present when, in a good light, a huge dinner table rose right off the ground without anyone touching it, that in the same circumstances the accordion played, and that Home himself was lifted two feet into the air' (Preface, pages xiii-xv). If he says that Home just before his death reproached himself with deceiving people, the deception, as Davis clearly explains, consisted in this, that the medium had pretended that the phenomena were produced by spirits, whereas he did not know *how* they were produced, and doubted the existence of any such spirits (see pages 287-289 and cf. pages 226-249).

I hold no brief for Home, as anyone will see who reads the article I printed in the *Month* for May, 1920, on 'The Conversion of Home, the Medium,' but an enormous mass of concurrent testimony has convinced me that the reported levitations, accordion-playing, etc., cannot have been due to trickery. More than once stories imputing fraudulent practices to Home have been discussed in the *Proceedings of the Society for Psychical Research*, but none of these, as even the resolute sceptic, Frank Podmore was constrained to admit, rested upon satisfactory evidence. My friend, the late Sir William Barrett, F.R.S., together with F. W. Myers, went into the question very thoroughly, and they were satisfied that on this head Home's record could not be assailed.

HERBERT THURSTON, S.J.

REPLY

I do not feel called upon to vindicate Cardinal Mercier's reputation for exact scholarship. Father Thurston admits that the Cardinal's quotation was correct. Cardinal Mercier quoted Dr. Davis solely to the effect that Home confessed to having deceived the public. Father Thurston admits that Dr. Davis does say this. When the Cardinal proceeded to describe Home as 'un habile charlatan,' he no longer quoted Dr. Davis: he gave his own opinion, his own deduction. That is evident in the *Psychologie*, and is made plain in my article.

For, if Dr. Davis attributed the phenomena to some strange special fluid in Home's body, Cardinal Mercier, shrewd and scientific observer of human nature as he was, evidently held that it was not necessary to postulate any such unverified fluid in the case of a confessed deceiver. That such a person would have recourse to charlatanry, that he could justly be described as a clever impostor, was the Cardinal's opinion. It cannot be described as an unreasonable opinion, and it cannot be taken as proof that Cardinal Mercier had not examined Dr. Davis's work, or other works, in which a contrary view was propounded. To assert that would not be very complimentary to the Cardinal's competency to examine the question.

M. J. BROWNE.

DOCUMENTS

PROCLAMATION OF A UNIVERSAL JUBILEE FOR THE YEAR 1929

(January 6, 1929)

[For Commentary on this Document, see the Canon Law Notes of this issue, p. 289.]

CONSTITUTIO APOSTOLICA

IUBILAEUM UNIVERSALE EXTRA ORDINEM INDICITUR AD TOTUM ANNUM
MDCCCXXIX

PIUS EPISCOPUS

SERVUS SERVORUM DEI

AD PERPETUAM REI MEMORIAM

Auspiciantibus Nobis singulari Dei beneficio annum a suscepto sacerdotio quinquagesimum, communi omnium Patri nihil fuit, nihil esse poterat optatius, quam ut una Nobiscum filii universi, coniunctis animis precibusque, Deo grates agerent ab eoque opem implorarent tum Nobismet ipsis, tum concredita Nobis Ecclesiae tot malis periculisque circumventae opportunam; qua quidem ope muniti, et ad christianam amplificandam augendamque Fidem et ad vitam sanetius instituendam—quod in clero potissimum spectamus—omnes erigerentur.

Iucundissima igitur, eademque eo iucundior quo fuit promptior atque alacrior, mirifica illa accedit consensio, qua boni omnes eiusmodi eventum Nobis gratulantes, precibus per hos ipsos ineuntis anni dies privatim publice Deo adhibitis et votis lactisque ominibus ad Nos undique delatis celebrare aggressi sunt. Tantus enim ac tam subitus animorum motus id nimirum iuculentissime comprobatur, piissimae sobolis esse, ut cum aegritudines ac molestias tum lactitiam gaudiumque participet Patris, ob illam quandam veluti necessitudinem, qua tota domesticus ipsius convictus societas continetur ac regitur. Lex enim est caritatis praecipua, ut haec non tam verbis quam factis demonstratur, quae quidem facta eiusmodi sint, ut in mutua quadam communionem bonorum posita esse videantur.

Eadem vero lege Nos tam arete adstringimur, ut cum filiis Nostris carissimis, pro facultate, bona participemus Nostra, eosdemque in Nostrorum communionem gaudiorum ita vocemus, ut propositis caelestium munerum thesauris, quorum est in Nostra potestate dispensatio, privatam Patris lactitiam communibus filiorum gaudiis atque utilitatibus cumulemus.

Quapropter, decessorum Nostrorum, in primisque Leonis XIII,

vestigii insistentes illud consilium inivimus, ut alterum annum sacrum extra ordinem, in Jubilaei universalis modum—qui vertente anno, idest ad plenum Decembrem mensem, contineretur—toto christiano orbi indicemus. Iamvero largius paterna liberalitate reseratis, per totum hoc temporis spatium, Ecclesiae fontibus, vehementer confidimus, christifideles omnes iam nunc alacrius libentiusque iis salutis praesidiis sic usuros, ut mores privati ac publici emendantur, fidei vigor confirmetur pietatisque ardor excitetur. Etenim, si precandi studium, quod saepe, vel nuper, commendavimus, in christiano populo acrius incendatur, nullum Nobis Ecclesiaeque validius adiumentum gravissimis hisce potissimum reipublicae christianae temporibus obtingere poterit. Eo ipso igitur, quo f. r. decessor Noster Leo XIII, consilio permoti eademque spe ducti, Nos quoque sacrum Jubilaeum indicimus ‘monendis cohortandisque quotquot sua est cordi salus, ut colligant paulisper sese, et demersas in terram cogitationes ad meliora traducant; quod non privatis solum, sed toti futurum est reipublicae salutare, propterea quod quantum singuli profecerint in animi perfectione sui, tantumdem honestatis ac virtutis ad vitam moresque publicos accedet.’ Cum autem huc sacer annus spectet, ut laeta fidei incrementa in populo foveantur moresque ad evangelicam legem rite componantur, videtur praeterea diei illius recordatio, quo die sacerdotali potestate aucti sumus, eos omnes, quotquot hac eadem potestate honestantur, commonere vehementius, ut vitam totam ad tanti ordinis dignitatem religiosius in dies sanctiusque conforment. Ex quo multiplici Jubilaei fructu, qui in singulos cives et in societatem humanam manabit, illam denique profecturam esse confidimus, quam quaerimus, pacis Christi absolutam perfectamque in Regno Christi instaurationem.

Itaque de omnipotentis Dei misericordia, ac beatorum Apostolorum Petri et Pauli auctoritate confisi, ex illa ligandi atque solvendi potestate, quam Nobis Dominus licet indignis contulit, ad provehenda fidei incrementa, morum emendationem et potissimum cleri sanctimoniam, universis et singulis utriusque sexus christifidelibus plenissimam peccatorum omnium indulgentiam ad generalis Jubilaei modum concedimus, ab hoc die usque ad plenum mensem Decembrem vertentis anni lucrandam, ita quidem ut sequitur:

I. Incolae et advenae intra ambitum existentes dioecesis Romae:

1°. Sive eodem die, sive diversis diebus bis visitent Basilicas Lateranensem SSⁿⁱ Salvatoris, Vaticanam S. Petri Ap. et Liberianam S. Mariae Maioris; ibique devotas preces per aliquod temporis spatium effundant ad mentem Summi Pontificis superius propositam ac generatim pro conversione peccatorum, extirpatione haeresum ac schismatum, pro pace et concordia omnium principum, unde facilius consequentur exaltatio, prosperitas et libertas Ecclesiae catholicae eiusque Capitis, Vicarii Iesu Christi.

Quod, si vel nimia locorum distantia, vel alio iusto impedimento, incolis praesertim suburbii ad memoratas Basilicas difficilis sit aditus, concedimus ut confessarii singulis permittant accessum ad aliam parochialem ecclesiam oratoriumve publicum, ubi Missae Sacrificium celebrari consueverit, ad easdem visitationes similiter complendas.

2°. Duobus diebus, praeter illos in quibus ieiunium et abstinencia ex praecepto obligant, ieiunent cum abstinencia ad normam canonum Codicis iuris canonici.

3°. Confessionem sacramentalem rite instituant, in qua a peccatis absolvantur, praeter confessionem annuam praecepto communi iniunctam; ac sancta Eucharistiae communione pie reficiantur, praeter communionem paschalem.

4°. Tandem aliquam eleemosynam pro sua quisque facultate et pietate, audito confessarii consilio, in aliquod opus pium elargiantur; praecipue Opus Propagationis et Praeservationis fidei commendamus.

II. Extra Romanam dioecesim, ubique terrarum praescribimus duas visitationes, vel eodem die vel diversis diebus, pie peragendas in tribus ecclesiis vel oratoriis publicis, in quibus Missa saltem celebrari soleat, quae a loci Ordinario vel ex ipsius mandato assignanda erunt; quod si tot templa alicubi non habeantur, tres visitationes in duobus, aut sex in uno peregrantur. Praeterea cetera superius recensita opera a singulis accurate perficienda sunt.

III. Pro iis qui sive Romae, sive ubique collegialiter seu *processionaliter*, ut aiunt, duce parcho aliove designato sacerdote, visitationes instituere velint, Ordinarius poterit visitationes prudenti suo arbitrio etiam ad minorem numerum reducere.

IV. Visitationes possint peragi partim in una dioecesi et partim in alia; et in eadem dioecesi partim in uno loco, partim in alio; in templis tamen pro unoquoque loco legitime assignatis.

V. Fideles, qui fuerint quavis iusta et rationabili causa impediti quominus vel aliquod ex recensitis operibus vel etiam omnia rite compleant, confessarii poterunt dispensare, opera praescripta in aliquod aliud opus commutando.

VI. Religiosi omnes et quotquot hoc nomine veniunt in parte secunda libri secundi Codicis iuris canonici dispensari possunt tum singillatim tum collegialiter a suis immediatis Superioribus, commutatis operibus praescriptis in alia, quae tamen non sint sub praecepto debita; Congregationes autem religiosae laicales ab eo sacerdote, qui regimen earum exercet in foro externo; atque, occurrente necessitate, singuli a proprio confessario.

Confessarii, per totum Jubilaei tempus, generatim sequantur, in absolvendo et dispensando, disciplinam a Codice iuris canonici novissime inductam.

Minime tamen suspendimus extraordinarias facultates utcumque delegatas, quibus forte iidem potiuntur. Sed praeterea has, quae sequuntur facultates ipsis concedimus hoc anno exercendas, intra limites iurisdictionis sive ordinariae sive delegatae, qua a suis Ordinariis instructi sint. Scilicet, sive Romae, sive alibi absolvere valeant poenitentes rite dispositos ab omnibus casibus vel ab homine vel a iure, sub censura vel sine censura utcumque reservatis, exceptis duntaxat casibus cum violationis secreti Sancti Officii, tum specialissimo modo Summo Pontifici reservatis (cann. 2320, 2343, 2367 et 2369 Cod. I. C.), tum denique illis, pro quibus, vel post obtentam vi canonis 900 absolutionem, obligatio

adhuc manet ad Sacram Poenitentiarum recurrendi et standi eius mandatis (cfr. Decretum Sacrae Poenitentiarum 16 Novembris 1928). Concedimus item singulis confessariis, ut supra approbatis, facultatem dispensandi ex rationabili causa in votis privatis omnibus, etiam iuratis, iis tamen exceptis quae canone 1309 Sedi Apostolicae reservantur, exceptoque voto acceptato a tertio, cui dispensatio proinde detrimento esset, nisi ipse iuri suo cesserit. Vota quoque poenalia commutari poterunt, sed in opus tandummodo quod aequae efficaciter a peccato retrahat.

Facultates huiusmodi absolventi vel dispensandi illis solis applicari possunt, quibus sincerus est animus lucrandi Jubilaeum atque opera praescripta vel commutata adimplendi. Si tamen iidem fideles, applicatione iam obtenta, rationabili impedimento prohibeantur quominus cetera perficiant, benigne statuimus, acceptam applicationem fore item valituram.

Iisdem porro facultatibus confessarii utantur in solo foro conscientiae etiam extra sacramentali, nisi, ut patet, agatur de peccato sacramentaliter absolvendo.

Qui aliqua censura fuerint nominatim affecti vel uti tales publice renuntiati nequeunt tamdiu frui beneficio Jubilaei, quamdiu in foro externo non satisfecerint prout de iure. Si tamen contumaciam in foro interno sincere deposuerint et rite dispositos sese ostenderint, poterunt, remoto scandalo, in foro sacramentali interim absolvi ad finem dumtaxat lucrandi Jubilaeum cum onere quam primum se subiiciendi etiam in foro externo ad tramitem iuris.

Jubilaeum, quod attinet ad plenariam indulgentiam sibi vel animabus purgatorii applicandam, bis aut pluries acquiri potest, iniuncta opera bis aut pluries iterando; sed tum tantummodo, cum Jubilaeum prima vice acquiritur, confessarii uti possunt, etiam pluries, facultate absolventi a censuris et a casibus reservatis, commutandi vel dispensandi cum eodem poenitente qui nondum omnia opera iniuncta adimpleverit.

Vertente Jubilaei anno, nullatenus cessant indulgentiae alias concessae pro operibus distinctis ab operibus Jubilaeo lucrando praescriptis. Imo benigne concedimus, ad augendum cotidie magis precandi spiritum, ut omnes fideles, per huius anni spatium, lucrari possint indulgentiam septem annorum totidemque quadragenarum, quoties coram divino Eucharistiae Sacramento, vel clauso Tabernaculo, pias preces aliquandiu ad mentem Summi Pontificis effuderint; idque firmis indulgentiis pro eodem opere alias concessis. Qui autem singulis diebus per integram hebdomadam hanc piam visitationem peregerint, indulgentiam plenariam usitatis conditionibus acquirere possint. Praeterea, ad fovendam toto hoc anno cleri in sacro litando pietatem, singulis sacerdotibus tribuimus, fruendum usque ad diem xxxi mensis Decembris huius anni, privilegium personale, cuius vi indulgentiam plenariam quotidie possint, Missae sacrificium celebrando, uni animae in Purgatorio detentae applicare.

Ut autem Litterae hae Nostrae ad fidelium omnium notitiam facilius perveniant, volumus earum exemplis etiam impressis, manu tamen alicuius notarii publici subscriptis ac sigillo alicuius personae in ecclesiastica

auctoritate constitutae munitis, eadem prorsus fides adhibeatur, quae ipsis praesentibus adhiberetur, si forent exhibitae vel ostensae.

Nulli igitur hominum liceat hanc paginam Nostrae indictionis, promulgationis, concessionis et voluntatis infringere, vel ei ausu temerario contraire. Si quis autem hoc attentare praesumpserit, indignationem omnipotentis Dei ac beatorum Petri et Pauli Apostolorum eius se noverit incursurum.

Datum Romae apud S. Petrum, die VI mensis Ianuarii, in festo Epiphaniae Domini, anno millesimo nongentesimo vicesimo nono, Pontificatus Nostri septimo.

FR. ANDREAS CARD. FRÜHWIRTH,
Cancellarius S. R. E.

LAURENTIUS CARD. LAURI,
Poenitentiarius Maior.

IOSEPH WILPERT,
Decanus Coll. Proton. Apostolicorum.

DOMINICUS JORIO,
Protonotarius Apostolicus.

Loco ✠ Plumbi.

ALLOCUTION OF THE HOLY FATHER AT THE RECENT CONSISTORY

(December 17, 1928.)

SACRUM CONSISTORUM

ALLOCUTIO SANCTISSIMI DOMINI NOSTRI PPAE

VENERABILES FRATRES

Paucis equidem verbis vos allocuturi sumus; eis tamen quae silentio prorsus praeteriri nequeunt. Profecto vos coram conspiciere in consessu hoc anplissimo qui sacro hoc tempore cogi solet, quique oculos catholicorum omnium ad se convertit, valde id sane ad facienda verba Nos invitat, ut vos saltem consalutemus simulque profiteamur quam magnam Nobis afferat praesentia vestra laetitiam. Iamvero argumentum huc accedit quo quidem animus Noster grate iucundeque afficitur: quomobrem facere non possumus quin hoc gaudium vobiscum, Venerabiles Fratres, communicemus, unaque gratum animum Nostrum Deo et hominibus praebeamus; quod placet—quasi suavi munere fungentes—in vestro totiusque catholici orbis conspectu testificari. De conventu Eucharistico dicimus, qui, ut probe nostis, in Sydneysi urbe nobilissima, confluentibus undique Christi fidelibus, haud ita pridem sollemniter celebratus est. Ex iis enim quae verbis scriptisque Nobis attulerunt qui coetibus affuere, imprimisque dilectus Filius Noster Bonaventura Cerretti, Legatus Noster, libenter sane compertum persuasumque habemus celebrationem illam, quamquam omnium hoc in genere novissimam, atque in regione habitam tam longo terrarum marisque tractu seiuncta, nulli tamen in huiusmodi congressionum serie magnificentia animarumque fructu cessisse; in quo quidem maxima laus est. Ecquis enim ignorat quantopere ceteri, qui acti sunt, ex nationibus omnibus Congressus Eucharistici quamque mirum in modum contulerint ad fidem in populis

excitandam, ad fovendam pietatem, ad christianae denique vitae usum restaurandum? In Conventu autem Sydneyensi novum quidem ac magnificentum divini Regis triumphum, sub Eucharisticis velis amanter delitescens, conspeximus; ita ut inde portendi liceat latissime illic christianum nomen propagatum feliciterque confirmatum iri. Ac certam omnino uberiorum in dies lactiorumque fructuum spem ex segete illa—omnium plane expectationem excedente—itemque ex nova satione longe lateque diffusa concipimus, quae episcoporum missionaliumque sollertia, clero quidem christianoque populo operam eis navante, mirifice effectae sunt; egregia nempe sollertia, quam historia de sacris illis Pastoribus deque apostolicis viris, qui Australiae finitimisque insulis christianum cultum intulerunt, magnis laudibus illustrat. De omnibus his rebus, admiratione profecto atque solacio plenis, plurimas Nos equidem, una cum catholico orbe universo, Deo Optimo Maximo bonorum omnium datori, grates agimus; cum nihil prorsus, uti liquet, nisi eo afflante atque opem ferente, fieri possit. Verum probe Nos scimus atque recogitamus quo pietatis ardore studiique alacritate iis omnibus opus fuerit qui a Deo delecti sunt ut, ad Ecclesiae sanctae utilitatem et laetitiam, Congressum tam mirum in Australia ad prosperum exitum adducerent. Itaque libentes Venerabilem Fratrem Michaellem Kelly, Archiepiscopum Sydneyensem, eiusque in episcopatu collegas, et egregios ex utroque clero homines imprimis dilaudamus; quos omnes, eum apostolos, immo etiam apostolorum duces se praestiterint, verissime Sanctus Paulus grandem illam sententiam suam iterando *gloriam Christi* appellaret (2 Cor. viii. 23). Deinde debitam laudem cum religiosis feminis tribuimus, quae, uti semper (maxime in iuventute rite educanda) ita hac praecipue occasione, actuose ecclesiasticis auctoritatibus opitulatae sunt, tum dilectis ex populo filiis, qui vel pueri amantissimi, vel iuvenes aetate florentes, vel mulieres virique sanis quidem consiliis praestantes, tam naviter pastorum suorum optatis responderunt. Placet insuper peculiare grati animi Nostri sensus moderatoribus ac magistratibus Australiae Civitatum hic testari, quod tam valide ad felicem rei eventum contulerint; itemque ceteris illius regionis civibus qui, quamvis Catholicae Ecclesiae non adhaerentes, tamen non modo hospitales erga nostros sese praebuere sed etiam benevolos et amicos. Nec mittere possumus quin Nostram animi voluntatem Venerabili Fratri Thomae Ludovico Heylen, Episcopo Namurensi, significemus, qui una cum virorum Consilio, cui praest sollerter, Conventibus Eucharisticis ex toto terrarum orbe provehendis, rebus omnibus ita consuluit ut ad optatos exitus coeptum quoque illud sanctissimum perduceret. Volumus demum ut ii omnes qui, quoquo modo rem iuvarunt, et debito afficiantur praeconio, et paternam grati animi Nostri significationem habeant, et, caelestium auspiciem munerum, Apostolicam Benedictionem accipiant. De aliis etiam, Venerabiles Fratres, laetis vel tristibus, quae menti Nostrae occurrunt, vos alloqui possemus; hoc tamen, de quo verba fecimus, tam egregium Nobis tantique momenti visum est, ut dignum id habuerimus ad quod unum Nostrum vestrosque animos converteremus, intimo fruente gaudio et grates Deo hominibusque iterantes.

Superest ut viduatis Ecclesiis Episcopos praeficiamus.

**WARNING OF THE PONTIFICAL COMMISSION AGAINST THE
PRETENSIONS OF A CERTAIN JOHN TARLOWSKY, A
RUSSIAN, WHO CLAIMS TO BE A CATHOLIC PRIEST**

(December 4, 1928)

PONTIFICIA COMMISSIO PRO RUSSIA

MONITUM

Relatum est huic Pontificiae Commissioni quemdam Ioannem Tarlowsky variis in locis se uti sacerdotem immo et episcopum latini ritus e dioecesi Tiraspolensi (Russia) profugum ostentasse et S. Missae Sacrificium offerre ausum esse.

At cum certo constet praedictum Ioannem Tarlowsky neque sacerdotem esse nec unquam statui ecclesiastico pertinuisse, omnes locorum Ordinarios ceterosque quorum interest monet haec Pontificia Commissio ne ipsi, etiamsi documenta quomodocumque exarata porrexerit, licentia quaevis ecclesiastica obcundi ministeria concedatur, neve subsidia quaecumque, eoque minus Missarum stipendia praebeantur.

Relatum est etiam eundem Tarlowsky multa de cruciatibus et suppliciis, sibi una cum aliis sacerdotibus et fidelibus illatis, falso dietitare aut ementiri, et hinc insidias forsitan moliri, quibus catholico nomini non leve damnum inferatur. Quapropter opportunum valde videtur eum ab Ordinariis locorum civili auctoritati deferri, ne amplius bonis noceat, neve in errorem multos inducere pergat.

Datum Romae, ex Secretaria Pont. Commiss. pro Russia, die 4 Decembris 1928.

A. CARD. SINCERO, *Praeses.*

L. ✠ S.

CAROLUS MARGOTTI, *Secretarius.*

**DECREE OF THE SACRED CONGREGATION OF THE COUNCIL
REGARDING A QUESTION OF COMPENSATION OF
ECCLESIASTICS ON ACCOUNT OF RESIDENCE IN A
PARTICULAR PLACE**

(July 16, 1927)

[This Decree was published in December, 1928.]

SACRA CONGREGATIO CONCILII

CANARIEN.

COMPENSATIONIS OB RESIDENTIAM

SPECIES FACTI.—Post Decretum regium die 30 Iunii 1926 publicatum in Hispania de ‘publicis administris qui in insulis Canariis funguntur munere,’ etiam ecclesiasticis Episcopus Canariensis huic Sacrae Congregationi reverenter exponebat: ‘In Regali Decreto a die 1 Iulii decurrentis vim obtinente, ecclesiasticis qui in Insulis Canariis suo munere funguntur atque ab Statu dotationem percipiunt, augmentum quoddam, scilicet, 30 vel 15 supra centum, pro diversitate casuum, dotationis respectivae percipient. At, forsitan non immerito omnino, dubitant aliqui num

augmentum huiusmodi canonice computare teneantur veluti partem dotationis iisdemque proin iuris praescriptionibus obnoxium; tum ob naturam singularem augmenti praefati, quod quidem non participes omnes eodem modo afficit, illudque *indemnizationem ob residentiam* appellat Regale Decretum, tum vero ob singularem indolem adiunctorum e quibus augmentum pendet: prout nempe participes nati fuerint extra Insulas Canarias vel in eis, ac in hoc postremo casu prout per 15 annos residentiam aut vicinitatem in Archipelago habeant vel non. Ceterum haec concessio pariter ac uniformiter tam pro quibuseumque officialibus civilibus ac militaribus, servitio Status his in Insulis adscriptis, quam pro ecclesiasticis viget, qui quidem hac in re illis adsimilantur ex tenore Regalis Decreti. Ex adverso, qualificatio qua augmentum—quamvis, ut conici potest, minoris stabilitatis in se, atque etiam quoad quantitatem assignatam minus quam ipsa dotatio—veluti accessio spectetur eiusdem dotationis, seu redotatio quaedam, ac consequenter iisdem iuris praescriptionibus subiectum, scopo observantioris disciplinae videtur magis favere ac deservire. Quapropter ut ambiguitas quaelibet removeatur, sequentium dubiorum solutionem submisit rogat:

‘I. *An augmentum de quo in casu sit tamquam accessio seu dotis beneficii sive muneris uniuscuiusque obtentoris* (canonicatus, paroeciae, vicariatus, capellaniae) *habendum, iisdemque proin iuris praescriptionibus respective obnoxium;*

‘II. *An saltem pro canonicis ceterisque qui ad choralem residentiam tenentur, tertia pars augmenti in casu sit inter distributiones computanda, prout generatim de tertia parte assignationis cavetur in Codice.*’

VOTUM CONSULTORIS—1. Solutio dubii ex eo imprimis videtur pendere quod accurate definiantur bona seu redditus ecclesiastici *dotationem* efficientes. Iamvero hic dotatio certe intelligitur esse dos beneficii aut muneris; inde quaerit Episcopus Canariensis an subsidium, nunc a Gubernio hispanico concessum viris ecclesiasticis canariensibus sit habendum tamquam accessio seu pars illius dotis. Dos vero vocatur etiam, et maxime iure Decretalium vocabatur, praebenda itemque beneficium; unde notissima regula: *beneficium datur propter officium*; et hodie pariter in Codicis canone 1409 sic traditur notio beneficii ecclesiastici, ut dicatur constare duplici elemento, videlicet officio sacro et iure percipiendi redditus *ex dote* officio adnexos. Ergo dicamus effici dotem, vel dotationem consistere in iis bonis seu redditibus ecclesiasticis qui obtinentur *propter officium* seu *ratione aut titulo* officii; quippe qui sunt redditus aut bona ipsi officio adnexa, et competunt beneficiario ex solo titulo vel ratione officii; ex eo nempe quod ipse beneficiarius obtinet tale officium vel munus, ita ut beneficiario debeantur propter functiones ecclesiasticas seu onera, generatim et complexive sumpta, quae constituunt naturam illius officii seu muneris; non propter aliquod peculiare et determinatum opus, aut servitium a beneficiario in aliquo casu praestitum, nec propter alium titulum extrinsecum qui non pertineat ad rationem muneris vel officii. Ideo ad dotem seu dotationem non sunt dicenda pertinere, nec efficere partem dotis aut dotationis, alia emolumenta ecclesiastica vel redditus quae obviant beneficiario occasione alicuius actualis et determinati servitii

vel operis aut functionis exercitae, et is opus vel functio exerceatur vi muneris vel officii; adeoque minus si redditus vel emolumenta tribuantur beneficiario ex causa tituli extrinseci qui cum ipsa ratione vel natura officii proprie non connectatur.

2. Vulgata proinde est distinctio quae apud canonicos et quoslibet beneficiarios capitulares fit inter fructus, proventus, redditus, vel quicumque nomine vocentur, qui constituunt *dotem* seu *praebendam canonicalem* aut *beneficialem*, et inter obventiones seu emolumenta quae audiunt *distributiones*. De quibus haec leguntur apud Ferraris (Bibl., v. *Distributiones quotidianae*): ‘Distributiones huiusmodi non veniunt appellatione fructuum seu reddituum et proventuum istius vel illius beneficii, cum sint redditus casuales et incerti qui acquiruntur labore et interventu in divinis, c. *Licet*, 32 de Praeb.; cap. unic. de Cler. non resident. in 6; cap. *Quoniam*, 8 § *In illis* de concess. Praebend, etiam in 6; Rot. part 15 *recent.*, dec. 61, n. 1; Cassad., dec. 1 de Cleric. non resident; Covarr., lib. 3, *Variar. resolut.*, cap. 13, n. 1; Fagn., lib. 13, *Decret. in cap. Licet* 32 de Praeb., num. 3 etc.’

Et Barbosa (lib. 3, *Iur. Eccles. univ.*, cap. 18, n. 8) haec tradit: ‘Quod adeo verum est ut appellatione reddituum beneficii non veniant distributiones, ut constat ex cap. *licet* de praeben. ibi: ‘proventus suos ecclesiasticos faceretis integre ministrari, nolumus tamen ut quotidianas distributiones percipiat’ etc.: cap. 2 de privileg. in 6. . Prout nec etiam comprehendunt appellatione fructuum, sicut colligi videtur ex Cone. Trid., *sess. 24 de ref., c. 12 vers. praeterea* . . . ; et ideo sic docent Covarr., l. c. Rot., decis. 330, n. 1 et 2, p. 2 *divers.*, ubi haec distributiones non dicuntur fructus beneficiorum, sed potius quod dantur ratione certo ministerii personalis. . Nec denique appellatione redditum et proventuum veniunt, cum de corpore beneficii non sunt, sed percipiuntur ratione servitii personalis cap. *licet* cum gloss., de praeben.’

3. Item penes parochos aliud ex se est dos vel praebenda beneficii aut redditus qui percipiuntur ex dote officio paroeciali adnexa, quique parocho cedunt ex solo titulo sui muneris paroecialis; aliud sunt iura stolae, et praestationes de quibus can. 463, et taxae de quibus can. 1507, ceteraque huiusmodi, quae debentur parocho ob aliquod opus vel servitium peculiare et determinatum. Nee-refert quod hodie can. 1410 decernat *posse* dotem beneficii consistere etiam in quibusdam praestationibus, sive in certis et voluntariis fidelium oblationibus, sive in iuribus stolae: nam is intelligendum est vel eum nulli alii sint redditus, quibus dos beneficii efficiatur, vel cum certe constet partem saltem dotis constitutam esse in illis praestationibus aut oblationibus aut iuribus stolae. Ceterum vetus regula canonica, quae hodie dicenda est quoque obtinere nisi aliud certo constet, plane distinguebat iura stolae, praestationes, oblationes, taxas, etc., a praebenda vel dote paroeciali, prout distinguebat distributiones chorales a praebenda vel dote capitulari.

4. Unde pro re nostra possumus haec animadvertere. Dum Concilium Tridentinum (*sess. XXI, c. 3 de reform.*) constituit tertiam partem fructuum et quorumcumque proventuum et obventionum separari debere et in distributiones converti; itemque dum hodie can. 395, eadem verba

usurpans, inquit: 'Episcopi tertiam partem separent *fructuum, proventuum, obventionum* quae ex dignitatibus, canonicatibus, officiis aliisque illius ecclesiae beneficiis percipiuntur et in distributiones quotidianas convertant,' tenendum certe est illos 'quoscumque fructus, proventus, obventiones,' intelligendos esse eos dumtaxat qui dotem beneficiorum quaecumque ratione efficiant, non vero alios qui ex aliis titulis, praeter merum titulum officii, beneficiario adquirantur. Nam illa diversitas nominum respicit dumtaxat diversam conditionem naturalem reddituum. Nempe, tres hi termini, qui saepe occurrunt, significant respective: *fructus*, quae solum labore exercitum producit (*i prodotti della terra coltivata*) et inde victualia; *proventus*, introitus, redditus, salaria quoque, stipendia Missarum; *obventiones*, ii introitus seu proventus qui non praevidentur, id quod Itali vocant *incerti* (sportula honorarum) vel, in stylo Pandectarum, redditus in agrorum fructibus non comprehensi. Tamen tres termini saepe promiscue usitantur. Quandoquidem si illorum verborum sensus extenderetur quoque ad alios redditus qui, praeter dotem seu praebendam, obvenire possunt ex quocumque titulo ecclesiastico, iam et ipsae distributiones, quae profecto sunt obventiones, proventus ecclesiastici, essent in eandem rationem computandae. Quod si id de ipsis distributionibus quotidianis retineatur absurdum, quoniam praecise in distributionibus quotidianas sunt alii proventus, quoad tertiam partem, convertendi, saltem autumari id posset de aliis distributionibus *inter praesentes* ceterisque emolumentis incertis et eventualibus, quae beneficiariis capitularibus obvenirent.

5. Fingamus etiam alicui dignitati vel canonicatui aut beneficio capitulari adnexum esse officium paroeciale, atque adeo canonico-parocho obvenire, sicut ceteris parochis, iura stolae, praestationes, taxas, etc., quas diximus non pertinere ad dotem beneficii: numquid ista non sunt emolumenta, redditus ecclesiastici? et tamen nemo dixerit ex illis quoque desumendam esse tertiam partem in distributiones quotidianas convertendam. Quare? quoniam illa non acquiruntur canonico parocho *ex ratione seu titulo* dotis aut dotationis. Item in Hispania nonnullis beneficiis capitularibus, per concursum conferendis, licet adicere peculiare onus, v. g. docendi in Seminario aliquam disciplinam ecclesiasticam; evenire autem potest ut ille beneficiarius capitularis, ob munus docendi, etsi adnexum pro illa vice suo beneficio, recipiat ex Seminario stipendium annuum, quod certe ex bonis ecclesiasticis desumitur. Sed nemo, ut reor, censuerit illud annuum stipendium habendum esse tamquam pars vel accessio dotationis beneficalis, nec ex illo detraheretur tertia pars convertenda in distributiones quotidianas.

6. Ut ergo definiatur an nonnulli redditus vel emolumenta, beneficiariis ecclesiasticis obvenientia, rationem induant necne dotationis beneficaliae, seu efficiant partem dotis, attendendus est *titulus*, ex quo beneficiariis adquiruntur. Sed probe inspicendum est de quo titulo agatur; non sufficit namque attendere titulum genericum et remotum, sed *specificum*, determinatum, immediatum; id est non sufficit ut dicamus illos esse redditus seu proventus ecclesiasticos, competere beneficiariis ex titulo ecclesiastico, non civili, sed inter ipsos titulos ecclesiasticos facienda est distinctio; compertum est enim, prout innuimus, posse

obvenire ecclesiasticis beneficiariis reditus aut emolumenta striete ecclesiastica et ex titulo ecclesiastico, non tamen ex titulo *dotationis*. Ergo in causa, quam prae manibus habemus, dubium non solvitur ex eo quod dicamus generico modo subsidium, concessum viris ecclesiasticis canariensibus, esse habendum tamquam restitutam partem bonorum ecclesiasticorum, quae olim fuerunt ab Statu occupata; vel ex eo quod dicatur Status adstringi in Concordato ad praestandam beneficiariis ecclesiasticis congruam dotationem, immo et ad augendam dotationem; vel ex eo quod omnia emolumenta et subsidia, ab Statu Ecclesiae tributa, censeantur habere naturam reddituum ecclesiasticorum, aut quod secus illa emolumenta non tribuerentur titulo ecclesiastico, sed civili, adeo ut beneficiariis cederent tamquam officialibus Status. Haec omnia generica sunt, nec ex se definiunt titulum immediatum, quo emolumenta vel subsidia viris ecclesiasticis ab Statu tribuuntur; licet enim reditus aut emolumenta ipsa obtineant conditionem bonorum ecclesiasticorum, licet dentur ex titulo ecclesiastico, licet tribuantur ecclesiae vel viris ecclesiasticis, tamquam ministris Ecclesiae, non tamen omnia dantur ex eodem titulo peculiari et immediato, eoque minus ex titulo definito dotationis vel dotis. Etenim in Hispania, praeter reditus quos tribuit Status titulo dotationis pro clericis, confert etiam Ecclesiae vel viris ecclesiasticis alia emolumenta vel subsidia sive ad sumptus divini cultus explendos (art. 34 Concordati), sive pro Seminariis Conciliaribus (art. 35), sive pro sustentatione nonnullarum Religiosarum Familiarum (ibid.), etc. Quae nemo autumabit dicere data esse titulo dotationis beneficiorum ecclesiasticorum. Et quamvis in ipso Concordato (aa. 36 et 38) horum quoque emolumenta erogatio appelletur dos seu dotatio pro cultu, tamen toto caelo differt ab alia reddituum parte quae in iisdem articulis dicitur dos seu dotatio eleri.

7. Age iam, propius accedentes ad nervum dubiorum, quae ab Episcopo Canariensi proposita sunt, adnotemus in concordato hispano clare et distincte recenseri, sub ipso nomine dotationis, nempe dotationis ministrorum ecclesiasticorum, eos reditus, qui constituunt veram et propriam dotem beneficiorum ecclesiasticorum, quique proinde soli habendi sunt in censu proprie dictae dotationis; ceteri vero reditus aut emolumenta, quae tribuuntur Ecclesiae vel immo viris ecclesiasticis, sed ex alio diverso titulo, tametsi ecclesiastico, extra rationem dotationis beneficiariae sunt habenda. Ex. gr. sic habetur in Concordato: 'Art. 31. Reditus annuus cuique Archiepiscoporum in dotem assignatus, erit ut sequitur (hic distincte recensentur reditus singulis pro dotatione attributis, et successive idem traditur de Episcopis; et postea in art. 32 cum distinctione de dignitatibus, canonicis, beneficiariis capitularibus; postremo in art. 33 de parochis et vicariis parocchialibus). Haec proinde constituunt veram dotationem beneficiorum ecclesiasticorum. Porro in iisdem articulis alia adnectuntur sub horum verborum tenore: (a) In art. 31: 'Gaudebunt insuper Archiepiscopi et Episcopi suis palatiis, pomariis, hortis aut aedibus, quae in qualibet Dioecesis parte ipsorum usui ac solatio destinatae, et minime alienatae fuerint'; et in art. 33: 'Praeterea tum Parochi proprii tum Coadiutores fruuntur aedibus eorum

habitationi addictis, necnon hortis seu possessionibus, quae venditae minime fuerint, et vulgari nomine *Iglesarios*, *Mansos* vel alio appellari consueverunt.' Iam haec extra rationem dotationis sunt habenda; quoniam nec omnibus indiscriminatim assignantur; eadem sunt pro singulis qui in eadem mensura dotationis iuxta diversitatem graduum aequiparantur, nec diversa sunt pro diversa beneficiorum conditione; sed dumtaxat relinquuntur fruenda, *si et quatenus sint*; quod si in aliqua Dioecesi v. g. non habeatur palatium pro Episcopi habitatione, aut in aliqua paroecia deficiat domus paroecialis, eo quod alienata fuerint, tunc nihil Episcopo aut Parocho tamquam supplementum pro palatio aut domo paroeciali assignatur; contra debuisset assignari, si palatia episcopalia et domus paroeciales constituerent partem dotationis, nam in Concordato recepta est regula ut dotatio par esset omnibus qui in eadem conditione beneficiaria comperiuntur, (b) In art. 34: 'Pro iis vero (sumptibus) qui administrationis et sacrae visitationis causa extraordinarie requiruntur, singulis Metropolitanis intra viginti millia argenteorum annua vice conferuntur.' Neque haec ad dotationem Archiepiscoporum et Episcoporum pertinere dicenda sunt; quia assignantur eis ex alio titulo, nempe causa sumptuum extraordinariorum pro administratione et visitatione pastoralis. (c) In art. 33: 'Itemque parochii proprii et sui coadiutores ex iuribus stolae et oblationibus, vulgo *pie de altar*, partem cuique respondentem percipient.' Iuxta ea, quae supra diximus, pro dotatione parochorum et suorum vicariorum non sunt hoc in casu computanda haec iura stolae et oblationes; percipiuntur enim ex alio diverso titulo.

8. Iam ex his omnibus praemissis possumus directe respondere dubio proposito, an scilicet subsidium, ab Statu hispano concessum peculiari-ter clericis apud Insulas Canarias munus ecclesiasticum gerentibus, habeat rationem dotationis, seu nempe sit augmentum, supplementum, accessio, pars dotationis. Et responsio negativa videtur tenenda; eo quod subsidium istud non datur titulo dotationis sed titulo indemnizationis seu compensationis pro residentia in illis insulis. Plane constat eos redditus esse habendos certe ecclesiasticos, et tribui ex titulo ecclesiastico, et dari clericis tamquam ministris Ecclesiae non tamquam officialibus Status; sed titulus immediatus et proprius, ex quo conceduntur, non est titulus dotationis, est alius titulus diversus, prout diversus est titulus quo relinquitur in Concordato Episcopis usus palatiorum, Parochis vero usus domorum paroecialium; quo assignantur Episcopis peculiare redditus pro sumptibus administrationis et visitationis; quo Parochis eorumque cooperatoribus tribuuntur iura stolae et oblationes. Nam quo titulo datur hoc subsidium clericis canariensibus? non propter rationem officii vel muneris, sed propter peculiare conditiones residentiae ipsorum in illis Insulis, nempe ob maiores et peculiare expensas ferendas ex illa residentia, ex itineribus suscipiendis, etc. Ideo quoque fit distinctio, et *maius* vel minus subsidium conceditur prout agatur de iis qui ex iussu Superiorum aut de iis qui sponte sua ibi resident ac munus exercent, itemque de iis qui alienigenae vel indigenae sunt; nam huiusmodi distinctio non desumitur ex ipsa ratione muneris seu officii, sed ex aliis titulis extrinsecis.

9. Quae maius robur accipiunt si animadvertamus Statum hispanicum, adimpleturum promissiones in Concordato factas, concessisse anno 1920, verum augmentum dotationis, et quidem sub eo nomine, tituli et ratione, omnibus per universam Hispaniam beneficiariis capitularibus et paroeccialibus; adiunxit enim singulorum *dotationi* 750 libellas annuas pro beneficiariis ecclesiarum cathedralium et collegiatarum; exivit autem ad 1000 libellas *dotationem* beneficiariorum et cooperatorum in ecclesiis collegiatis suppressis et paroeccialibus, ad 1500 libellas *dotationem* parochorum ruralium, ad 1750 parochorum ingressus, ad 2000 parochorum ascensus, ad 2250 ut minimum parochorum terminos. De his augmentis non est dubitandum quin effecerint accessionem vel pinguiorem partem dotationis; quoniam id clare exprimitur in ipso tenore et ratione legis dantur enim ex sola ratione officii et tribuuntur generatim omnibus beneficiariis; contra nihil horum deprehenditur in decreto, quo clericis canariensibus subsidium conceditur ob residentiae compensationem.

10. Idipsum confirmari potest, si instituamus comparationem cum augmento nuper concessio in Italia beneficiariis ecclesiasticis, quod relate ad canonicos aliosque beneficiarios capitulares declaratum est a Sacra Congregatione augere dotationem, ideoque ex illo detrahendam esse partem tertiam, quae in distributiones quotidianas convertatur. Equidem recte, nam ipsum decretum statuebat disertis verbis: 'Art. 3. Sarà concesso dall'Amministrazione del Fondo per il Culto un assegno supplementare alle sequenti categorie del clero, *fino a portare la congrua*, compresi i predetti casuali, alla misura rispettivamente indicata.' E converso nullum verbum occurrit in decreto Status hispanici, unde attribuamus conditionem dotationis subsidio quod conceditur clericis canariensibus; sed appellatur peculiaris compensatio pro residentia.

11. Restat ut nonnulla declinemus quae in contrarium oggeri possunt. Sane imprimis diversa conditio et peculiaris *adiuncta locorum*, ubi resideant beneficiarii, potest esse ratio cur diversa mensura *dotationis* assignetur diversis beneficiariis, sic nimirum ut nonnullis, non vero ceteris augeatur, quamvis omnes ad eundem gradum beneficentem pertineant. Exemplum habetur in eodem Concordato Hispaniae, quod *pro diversitate locorum* diversam *dotationis* mensuram attribuit praesertim Episcopis et Parochis; v. gr. legitur in art. 31 'Almeriensi (et ceteris qui residentiam habent in civitatibus capitibus provinciarum civilium) nonaginta millium; Asturicensi (et ceteris, quorum residentia est in civitate vel oppido extra capita provinciarum civilium) octoginta millium'; et art. 33: 'Pro Parochis in urbanis paroeccis annuus reditus intra tria et decem millia argenteorum constituitur; in ruralibus vero minimum reditus duo millia et bisecentum attinget.' Huic tamen animadversioni respondendum videtur, ut quamvis illa vera sint, non tamen concludendum sit quaelibet peculiaris emolumenta vel subsidia, quae *ex diversitate residentiae* tribuantur viris ecclesiasticis, esse concessa titulo dotationis vel tamquam augmentum dotationis, siquidem possunt concedi ex diversis titulis. Oportet ergo in singulis casibus attendere titulum, ex quo emolumenta concedantur. Porro in casu nostro nullum adesse videtur iudicium

ut dicamus subsidium, concessum clericis canariensibus sub nomine compensationis residentiae, tribui ratione seu titulo dotationis vel tamquam partem dotationis.

12. Secundo obiici potest quod mensura, qua definitur ipsum subsidium canariensibus, reponatur in quota parte dotationis, id est 30 vel 15 pro 100 dotationis, quasi nempe sit eiusdem dotationis pars. Contra tamen id ex eo duntaxat videtur esse factum quod quaereretur certa et congrua norma ad determinandam mensuram subsidii singulis attribuendam, eaque norma censeretur recte reponi in quota parte dotationis; nam et subsidium pendendum est ab Statu qui et idem pendit dotationem, et respondere debet conditioni singulorum clericorum prout respondet dotatio. Idem ceterum est de officialibus civilibus in praefatis Insulis. At non exinde colligitur ipsum quoque subsidium esse pars dotationis aut dari titulo dotationis.

13. Tertio difficultas enasci posset ex eo quod, subsidium vel augmentum, concessum clericis canariensibus, videatur computandum in pensione adsignanda. Sed id omne incertum est; quia in Hispania numquam videtur Status adsignare clericis veram pensionem; nec etiam constat ut, si alicui clerico adsignaretur pensio, haec mensurae dotationis coaequaretur.

14. Denique alia difficultas deprehendi posset in eo quod, clericus habitualiter residens in Canariis Insulis, si ad tempus rediret in patriam, tamen pergeret eo ipso tempore frui subsidio vel augmento, de quo in casu. At vero non apparet quomodo difficultas inde obtrudatur; nam una ex causis, ob quas datur huiusmodi subsidium vel augmentum, invenitur praecise in peculiaribus expensis quas clericus ferre debet in aggrediendo itinere ut ab Insulis Canariis veniat in patriam iterumque ex patria redeat in Canarias Insulas.

15. Quae omnia cum ita sint, conclusio fluere videtur ut dicamus subsidium vel augmentum in casu concessum clericis Insularum Canariensium, nequaquam habendum esse in censu dotationis seu tamquam dotationis partem vel accessionem, immo neque obnoxium legi can. 395 praescriptae.

RESOLUTIO.—In plenariis comitiis Sacrae Congregationis Concilii, habitis in Palatio Apostolico Vaticano, die 19 Februarii et 16 Iulii 1927, Eñi Patres, omnibus rerum adiunctis attente perpensis, respondendum censuerunt:

‘Negative ad utrumque dubium.’

Facta autem relatione Ssño Dño Nostro Pio PP. XI in audientia diei subsequenti per infrascriptum Sacrae Congregationis Secretarium, Sanctitas Sua datam resolutionem approbare et confirmare dignata est.

✠ IULIUS EP. TIT. LAMPSACEN,
Secretarius.

**DECREE OF THE CONGREGATION FOR THE EASTERN
CHURCH REGARDING THE REQUISITE PERMISSION TO
PASS FROM ONE RITE TO ANOTHER**

(December 6, 1928)

SACRA CONGREGATIO PRO ECCLESIA ORIENTALI

DECRETUM

DE VENIA APOSTOLICA TRANSITUS AD ALIUM RITUM A ROMANI PONTIFICIS
LEGATIS CONCEDENDA

Nemini licere sine venia Apostolicæ Sedis ad alium ritum transire, aut, post legitimum transitum, ad pristinum reverti, plurimis Romanorum Pontificum constitutionibus, præsertim Benedicti XIV, const. *Etsi pastoralis*, 26 Maii 1742; const. *Praeclaris*, 18 Mart. 1746; ep. encycl. *Allatae sunt*, 26 Iul. 1755; Gregorii XVI, ep. encycl. *Inter gravissimas*, 3 Febr. 1832; Leonis XIII, litt. ap. *Orientalium dignitas*, 30 Nov. 1894; Pius X const. *Tradita ab antiquis*, 14 Sept. 1912, Decretis Sacrae Congregationis de Propaganda Fide pro negotiis rituum orientalium, statutum fuit, atque a Codice iuris canonici, can. 98, § 3 confirmatum.

Hanc porro facultatem veniæ Apostolicæ concedendæ ad transeundum de uno in alium ritum, hæc Sacra Congregatio pro Ecclesia Orientali directe et immediate usque adhuc ipsa exercuit; ea enim, exceptis oratorum precibus seu petitionibus, usitato more audiebat interesse habentes, et Romani Pontificis Legatos utrum preces privatorum veritate niterentur, nec ne; ac, re diligenter cognita, causas allatas, utrum canonicæ et sufficientes essent, ad trutinam revocabat, et demum ea decernebat quæ ad bonum animarum magis profutura videbantur.

Verum cum postremis hæc temporibus magis magisque in dies numerus augeatur latinorum catholicorum in partibus orientalium degentium, et catholicorum ritus orientalium extra patriarchalia territoria et orientalium partes commorantium, in latinis, iisque dissitis, regionibus; cumque partim pro rerum adiunctis et locorum distantia, persæpe sit res longi temporis exquirere et hinc inde comparare notitias, seu percontationes et informationes necessarias et opportunas circa oratorum preces; partim vero, ut nunc sunt mores, fere omnes festinare ambient ac celeritati student, atque reapse moræ huiusmodi non raro in detrimentum animarum vertere possint; undique delatæ sunt preces huic Sacrae Congregationi, ut facultas concedendi transitum ad alium ritum delegaretur ac tribueretur Romani Pontificis Legatis, seu Nuntiis, Internuntiis ac Delegatis Apostolicis loci, ubi oratores transitum postulantes degunt; quippe quod Apostolici Legati ibidem commorantes, facilius et expeditius rem cognoscere et absolvere valent.

Proposita igitur quaestione in plenariis comitiis diei 6 Novembris curr. anni, huius Sacrae Congregationis Eñi Patres censuerunt valde expedire ad bonum animarum ut Romani Pontificis Legatis facultas tribuatur concedendi veniam transitus ad alium ritum, uno excepto casu de Sacerdote ritus mutationem postulante; simulque statuerunt iisdem dare necessarias et opportunas instructiones circa causas canonicas

iustas et sufficientes, earumque agnitionem, ut hac facultate utantur tantummodo in animarum bonum: hac enim ratione, nihil de veteri disciplina immutando, facilior atque expeditior via sternitur ad consulendum, hac in re, fidelium saluti.

Quam Eñorum Patrum resolutionem Ssm̄us Dominus Noster Pius Div. Prov. Pp. XI in audientia diei 10 eiusdem mensis Novembris, referente infrascripto Cardinali Secretario, approbare ac confirmare dignatus est, simul decernens ut res publici iuris fiat per huius Sacrae Congregationis decretum.

Mandat idcirco haec Sacra Congregatio ut a die prima proximi mensis Ianuarii a. 1929 preces ad implorandum transitum ad alium ritum, per tramitem Ordinarii proprii, seu sub cuius iurisdictione sunt oratores, mittantur ad Romani Pontificis Legatos, seu Nuntios, Internuntios, Delegatos Apostolicos, vel eorum qui pro tempore vices eorundem gerunt. Legati Apostolici autem singulis anni spatiis referant huic Sacrae Congregationi de numero veniarum concessarum pro transitu sive de ritu orientali in latinum, sive de ritu latino in orientalem.

Quod si in loco seu regione Legatus Apostolicus non fuerit missus aut constitutus, aut agatur de Sacerdote, preces, ut antea, ad Sacram Congregationem pro Ecclesia Orientali mittendae erunt.

Datum Romae, ex Aedibus Sacrae Congregationis pro Ecclesia Orientali, die 6 Decembris 1928.

A. CARD. SINCERO, *Secretarius.*

H. I. CICOGNANI, *Assessor.*

L. ✠ S.

AN ORDINARIATE FOR RUSSIAN IMMIGRANTS INTO CHINA ERECTED AT HARBIN

(May 20, 1928)

PONTIFICIA COMMISSIO PRO RUSSIA

DECRETUM

ERECTIONIS ORDINARIATUS HARBINENSIS IN SINIS

Fidelium Russorum per dissitas orbis partes degentium atque apostolici laboris inter dissidentes eiusdem gentis promovendi cura sibi demandata, Pontificia Commissio pro Russia nihil antiquius habuit, quam dispersos greges sub regimine Pastorum, ritu et sermone priorum, coadunare, ne iis qui patria, ut plurimum, puls, omni temporali ope destituti, in tot tantisque versabantur calamitatibus, spiritualia etiam deessent praesidia.

Itaque in plenariis comitiis die 11 Novembris anno 1927 habitis, Eñi Patres ad Russorum negotia pertractanda specialiter designati, ut curae spirituali Catholicorum e gente Russica in Sinensis Imperii partibus degentium nec non revocandis ad Fidem Catholicam dissidentibus recte prospicerent, novum byzantino-slavici ritus Ordinariatum in urbe Harbin, quam frequentiores incolunt Russi, erigendum, eique sacerdotem eiusdem ritus, qui iure ordinario clericos et fideles omnes sui ritus in spiritualibus regeret atque gubernaret, praeficiendum esse censuerunt.

Quam Eñorum Patrum resolutionem ab infrascripto Secretario, in Audientia diei 19 Novembris 1927, relatem, Ssñus D. N. Pius, div. Prov. PP. XI, ratam habere atque confirmare dignatus est. Iussit insuper eadem Sanctitas Sua, ut per hoc Decretum, perinde valiturum ac si Apostolicae Litterae super re expeditae fuerint, Pontificia Commissio pro Russia Ordinariatum Harbinensem Russorum canonice erigeret sicut de facto erigit. Fines autem sic erecti Ordinariatus erunt iidem, quibus Sinensium Imperium continetur; Ordinarii habitualis residentia erit in dicta urbe Harbin, penes ecclesiam a S. Vladimiro, ritus byzantino-slavici, quae illico, huiusec Decreti vi, in parochialem ad omnes iuris effectus evehitur pro omnibus fidelibus eiusdem ritus qui urbem Harbin et vicinia incolunt vel in posterum incolent, facta eligendo Ordinario potestate territorium parociale opportuno tempore definiendi.

Igitur fideles et clerici in Sinico Imperio commorantes, qui ritum byzantino-slavicum legitime profitentur, distracti a iurisdictione Latinorum Ordinariorum, quibus hucusque subiecti manebant, iurisdictioni Ordinarii pro tempore Harbinensis Russorum suberunt. Item aedificia sacra vel profana, si quae sint, in territorio Ordinariatus, quacumque ratione ad Russos spiritualiter vel materialiter iuvandos exstructa, vel ad opera pietatis aut charitatis, pro eadem gente ab ecclesiastica auctoritate destinata, erunt ad normam iuris administrationi, vel inspectioni, vel visitationi Ordinarii Harbinensis Russorum obnoxia. Item collectae vel sponte oblatae ad eosdem vel similes fines pecuniae administratio et erogatio sub vigilantia Ordinarii eiusdem in posterum fiet. Acta autem et libri documentaque omnia, Ordinariatum Harbinensem Russorum quoquo modo respicientia, vel eorundem transumpta aut authentica exemplaria, cura Ordinariorum, quamprimum mittantur ad Curiam Harbinensem, in archivo proprio iuxta sacrorum canonum praescripta custodienda.

Ad omnia haec executioni mandanda eadem Pontificia Commissio R. P. D. Celsum Costantini Archiepiscopum titularem Theodosiopolitan. in Thebaide, in Sinensi ditione Apostolicum Delegatum, deputat, qui per se, vel per alium virum in ecclesiastica dignitate constitutum, mandatum explere curabit, facta eidem obligatione intra sex menses ab expeditione huius Decreti Pontificiae huic Commissioni peractae executionis authenticum testimonium remittendi.

Contrariis quibuslibet minime obstantibus minimeque obfuturis.

Datum Romae ex Secretaria Pontificiae Commissionis pro Russia, die 20 mensis Maii anno 1928.

ALOYSIUS CARD. SINCERO, *Praeses.*

L. ✠ S.

CAROLUS MARGOTTI, *Secretarius.*

REVIEWS AND NOTES

HISTORY OF THE ARCHDIOCESE OF TUAM. 2 Vols. By the Right Rev. Mgr. D'Alton, P.P., LL.D., M.R.I.A. Dublin: Phœnix Publishing Co. Price 42s.

THE Ecclesiastical History of the territory covered by the present Archdiocese of Tuam has afforded Mgr. D'Alton plentiful material for a narrative unflinching in its interest. Against the pagan background there stands out the figure of the National Apostle and, associated with him, the famous mountain which is the spiritual landmark of his western conquests. Following in his footsteps come Enda, Brendan, Jarlath, Cuana, Fursey, Fechin, MacDara, Colman, and Mochua. Theirs was the springtime of the Irish Church. Then came the Danish scourge, and with it the long struggle of Ireland with foreign foes. In 812 the Danes plundered Inishmurry, off the coast of Sligo, and in 835 'all the country of Connaught was devastated by them.' In the years preceding the Anglo-Norman Invasion the most striking figure is that of Turlough O'Connor. It was during his time, and with his assistance, that, in 1140, the Cathedral of Tuam and the Abbey of Cong were rebuilt. Mgr. D'Alton devotes four chapters to the period from the English Invasion to the Reformation. Ireland shared with other countries the demoralizing influences of the Feudal period, aggravated, in part, by the Great Schism, and, at home, by racial antagonisms. By the sixteenth century patronage had done its fatal work. 'Ecclesiastics were promoted to fill important offices, and placed at the head of religious houses or parishes, who had no qualification except that they were the relatives or favourites of influential laymen.' It is a tribute to the steadfastness of Irish Faith and, it may be presumed, to the work of the rank and file of the clergy that Ireland withstood the shock of the Reformation. She paid for her loyalty by entering upon three centuries of the bitterest persecution that any nation has ever been subjected to. The results of Tudor bigotry and tyranny are thus summed up by Mgr. D'Alton: 'Into the hands of strangers passed the lands and tithes and other property of the religious houses of the Archdiocese of Tuam. Cistercians, Augustinians, Dominicans, Franciscans, and Benedictine nuns were all despoiled. The Abbey Church was no longer open in the early morning for sacrifice and prayer. The psalms were no longer sung within the cloistered walls; the vesper bell no longer tolled when the shades of evening fell. With the friars, monks, and nuns beggared or in exile, the student was left uninstructed, the sick unvisited, the poor unrelieved.' The remaining chapters of his first volume Mgr. D'Alton devotes to a vivid account of the trials and vicissitudes of the Archdiocese during the seventeenth and eighteenth centuries. His narrative is interspersed

with descriptions of the famous ecclesiastics who ruled it during the dark days of persecution. At the close we are given a succinct account of the Veto struggle and of the entrance on the scene of John MacHale.

In his second volume Mgr. D'Alton deals with the works and lives of Dr. MacHale, Dr. MacEvilly, and Dr. Healy. Of the three MacHale bulks largest in the national estimation. He was and is still, for us all, the ideal of a patriot bishop. Dr. Healy has a secure though more restricted title to remembrance, whilst, in scholarly circles, Dr. MacEvilly has his place. In his treatment of them Mgr. D'Alton, perhaps through nearness in time or personal association, adopts the method of the writer of 'Mémoires' rather than that of the formal historian. His treatment does not lose in piquancy or pungency thereby, but it is in danger of leaving on the mind of the general reader an impression different from that which he himself might wish. The volume closes with detailed accounts of the Deaneries and Parishes of the Archdiocese and of those who have brought honour to it by their pens. Amongst those writers the name of Mgr. D'Alton, naturally, is not found, but, in the future, it will certainly find there a distinguished place.

The work has been produced in a most generous format and is furnished with suitable illustrations.

P. M.

DE VIRTUTE CASTITATIS ET DE VITIIS OPPOSITIS: Tractatus Dogmatico-Moralis. Auctore Ludovico Wouters, C.S.S.R. Bruges: Beyaert, 1928. Pp. 144. Fr. 12.50.

MANY of our readers will remember Father Wouters as the author of, perhaps, the best commentary on the Decree *Ne Temere*. Therefore, we feel sure that they will welcome the present work with the conviction that the subject matter will be treated in the same thorough and judicious manner.

Taking as his chief guides St. Thomas and St. Alphonsus, to whom frequent references are made, the author has built up an excellent treatise, quite full, even though commendably brief. We would like to refer particularly to the *reasonableness* of his arguments from reason, both in favour of chastity and virginity, and against the various opposite vices. The necessary physiological notions, too, both at the beginning and throughout the work, are based on the most modern expert findings. Modern dangers to virtue, and modern forms of vice, will be found to receive due treatment.

It is not possible to enter into particulars in regard to the present subject; but we may refer to a few points. Is the author too severe on page 64, fourth last line? On page 91, *Corollary*, he is inclined to regard a certain form of artificial fecundation as lawful—*licitum videtur*, he writes, in the same hesitating way as Vermeersch. We wonder if this opinion will prevail. Perhaps, too, the argument against onanism might have taken cognisance of the fact that the advocates of birth-control readily admit that they act against nature. But the author may have felt the

futility of pursuing the matter further against such adversaries. On their principles we may soon find fornication publicly justified, at least for those who are unable to marry.

An Appendix is devoted to the question of sexual instruction of the young. The author wisely and sensibly teaches that such instruction is not to be recommended *per se*, or as a rule. Only *per accidens*, or by way of exception, is it to be imparted, when, that is, greater evils are to be feared from its omission. It should never be given to children collectively, in schools, for obvious reasons. A specimen instruction, in Latin, is supplied. There is also a specimen instruction for those about to be married, in accordance with the requirements of Canon 1033. This is given in Latin, Dutch, Italian, French, German, English, Spanish and Portuguese. Are the vernacular versions necessary?

In his Preface Father Wouters indicates his intention to produce a complete course of Moral Theology. Readers of the present work will look forward to its appearance.

P. O'NEILL.

THE PREACHER'S LIBRARY. By Rev. Stephen J. Brown, S.J. London : Sheed and Ward. Price 3s. 6d.

MOST young priests are so zealous for the word of God that they aspire to become at least effective speakers; some among them may ambition to become orators. They all realize early in life that their efforts in college, however well-directed their intentions, and however fulsome the flattery of their fellow-students, are at best unpractical and unreal, unformed and crude, lacking in technique and finish. When they get their first appointment they recognize that in the writing of sermons and instructions, in the art of delivery and persuasion, much remains to be learned. But here they are met by their initial difficulty: their short-comings they know; but they do not know how to set about the task of eliminating them. They are told to study up the subject. But what books to study, who to furnish a library of pulpit literature; there is the rub!

The Preacher's Library, by Rev. Stephen J. Brown, S.J., is designed to give them assistance. After a short Introduction, dealing with the way in which books may assist the preacher—in his personality, in the subject matter and in the adaptation of that subject matter to his hearers—the author treats in five chapters of the Teachers of Preaching, the Fathers, the Doctors and Saints of the Church, distinguished Preachers and Professors of Sacred Eloquence, of the books on Sacred Scripture required by the preacher, of the model Preachers of all time, from SS. Chrysostom and Augustine down to Newman, of Preacher's Aids, such as Illustrations, Sermon-material, Outlines, Notes and Plans, and finally, of Published Sermons. This last chapter covers nearly forty pages, and includes general collections of Sermons by various authors, Sermons on the Gospels and Epistles for the Sundays and Festivals, Sermons on the Liturgy, Sermons for special occasions, such as Marriage Addresses,

Funeral Discourses, Panegyrics, Sermons for different seasons of the Liturgical Year, Sermons for Missions, Sermons for Particular Classes of Persons, Men, Boys, Children, Women, and Girls; Sermons on the Blessed Eucharist, Sermons on Our Lady, and two Sections dealing with Sermons of some of the Saints, and with the published works of Irish Preachers. There is a further Chapter giving an Alphabetical List of Preachers and their Works and a very full Index of Preachers' names. A fuller description of the aim, scope, and method, is unnecessary for readers of the I. E. RECORD. The series of papers published in this review, beginning in January, 1926, are incorporated in *The Preacher's Library*, and indicate its nature and purpose.

We say emphatically that *The Preacher's Library* is the first requisite for the priest who takes his preaching seriously, and wishes to improve it. It gives a general conspectus of sermon literature. It is methodical. It is concise. It is sound in the advice it gives, and shows well-balanced judgment in its appraisal of writers. It is practical, and gives the titles of those books only which are within the reach and every-day use of Irish priests; most of the works are in English, some in Latin, and others in French. The author was well advised to include French works, for the French language can be read by most priests, and it is extremely rich in religious literature. One exception, in favour of a German work, is admitted, *Homiletisches Handbuck* (page 89), and it deserves to be included.

Might we make a suggestion? The value of *The Preacher's Library* would have been enhanced, we think, if Father Brown had added a section containing a list of scientific works on ascetical theology, such as Tanqueray's little handbook *Précis de Théologie Ascétique et Mystique* and Naval's *Cursus Theologicæ Asceticæ et Mysticæ*. Books of this kind are preferred by some priests to the books of set sermons. We would call the attention of Father Brown to the fact that four vols. (page 108) of Séanmóiri Muighe Nuadh had been published, and that Father Skelly, O.P., has added two more volumes to his *Doctrinal Discourses*, making five volumes in all instead of three, as given on page 122. The number of volumes in *Doctrinal Discourses* is given correctly on page 78. *Retreat Matter for Priests*, published by B. Herder Book Company, although cast in the form of meditations, is extremely useful for priests. *Christ is All*, by Rev. J. Carr, C.S.S.R., an excellent little book, published last year by Sands & Co., might be added to the *Addenda*.

D. M.

AFTER 50 YEARS. By O. R. Vassall-Phillips, C.S.S.R. London : Sheed and Ward. Pages 192. Price 4s.

A VERY readable and interesting contribution to the world of letters by way of autobiography is *After 50 Years*, from the facile pen of Father Vassal-Phillips.

The author, treading the footsteps of previous distinguished converts, makes in this monograph an apologia for his desertion of the religious standards under which he had been reared. Fifty years have glided by

since he took the momentous step of breaking with the Established Church and entering the fold of the Church of Rome. Does he repent of his decision now that he can look back dispassionately and without bias upon the psychology of his motives? An emphatic No to this question is found broadly written over every page of the two sections into which he divides the story of his religious life, viz., *Ante Saltum* and *Post Saltum*.

In the *Ante Saltum* he describes his early life and environment—especially at Oxford, and his religious difficulties before he capitulated finally to the grace of conversion. In the five chapters of *Post Saltum* he undertakes the answering of the prejudices and objections of those outside the Church, with a thoroughness and sympathy possible only to one perfectly conversant with the view-point of Protestantism.

Hence his book is intended primarily for those who are still groping outside the Church. 'I look back upon the springs of my action' he says, 'and discuss the common accusation that a convert to Catholicity, when he makes his submission to the faith, thereby cuts his throat, denying his reason, turning his back upon his power to judge for himself.' It is in fact a clarion-call to those who are hesitating not to treat lightly the grace of conversion which is proffered to them. Nevertheless Catholics will profit by the reading, by learning to treat with forbearance and charity those yet outside the true fold, whose errors are largely the result of their upbringing and environment.

It is needless to speak of the logical and forceful presentation of his subject by such a master of style as Father Phillips. Every page of the book is as entertaining as a novel, and to priests and others engaged in convert work it is to be recommended for the insight it gives into the problems of would-be converts.

J. C.

DE LA VOLONTÉ. Marguerite Duportal. Paris: Lethielleux.

THIS small volume is dedicated to all those who believe themselves devoid of will-power, or provided with a feeble and ineffective will. Contrary to the general persuasion, it affirms that no one is devoid of will; that all have exactly the same power; that each carries within himself the will of a Napoleon. The widely-accepted opinion that people are born with different powers of will is called a lamentable error, which has most unfortunate consequences on the consciences and the happiness of those who believe themselves poorly endowed.

The author shows first that exercise, physical treatment, or time cannot create or develop the will. Whatever is startling in this assertion and destructive of all modern attempts of the education of the will vanishes when we are reminded that the will is an essentially spiritual faculty. External manifestations of will-power depend on three elements: physical ability, knowledge of the existence of that ability, and actual will to use it. People seem to vary in will-power, because some manifest their wills more clearly by directing all their efforts in a single direction. The laziest and weakest always will something—if only to be left

alone. The hesitant and the capricious exercise will-power, but in opposite directions, simultaneously or successively. Hence it is that poor talents, utilized with all the force of undivided will, often produce greater result than do great talents used by a part only of a divided will-power.

The purpose of the work is evidently not to supply a scientific psychological treatise, but a practical dissertation with a moral aim. It has, however, to deal with the subjects of the liberty of the will and of moral obligation. The treatment is, as usual, clear and trenchant; but there are some inexactitudes of thought and exposition, which call for emendation. Moral goodness and obligation are identified on page 74: it is stated that there cannot be explicit duties without faith in a divine Revelation; that God aids us to do good, but does not aid us to do evil; that without His aid it is radically impossible to do good. The freedom of the will is proved by the sentiment of duty, of which we have an intimate revelation—a thought savouring more of Kant than of Newman.

Apart from these excursions into philosophy, the author writes very tellingly of the practical truths bearing on the exercise of will-power. Contrary to the accepted view that good health produces a good will, it is maintained that the good will is the source and producer of good health. The last chapters are devoted to the study of the child-will, in its gradual emergence; and the conclusions of a sage experience, united with deep reflection, on the proper method of training and controlling children are deserving of the closest attention from all who have responsibility for the young.

The book is a very salutary corrective of false notions about will-power, and we recommend it as worthy of close study, particularly for the moral applications, which are made with clearness and eloquence.

M. J. B.

THE LIFE OF THE SERVANT OF GOD, PIUS X. Published under the auspices of the Postulator-General. Rome: Marietti, 1928. Price 3s.

No Pope in modern times has inspired so much personal affection in Catholics of all countries as Pius X. Long before he was elevated to the Papal dignity he was beloved by his flock. As Cardinal Sarto, Patriarch of Venice, as Mgr. Sarto, Bishop of Mantua, as Vicar-Capitular of Treviso, as Chancery of the same diocese, as Spiritual Director of the seminary, as Pastor in Salzano, as Assistant-Priest in Tombolo, he was enthroned in the hearts of his people; to the poor, especially, he was a loving and beloved Father in Christ. In his early days as a seminarian, great as was his ability yet his characteristic was his amiability. And with the simple folk of the little village of Riese, where he was born, Giuseppe Melchiorre, the son of Giovan Battista Sarto, 'the messenger of the municipality,' and Margherita, his wife, 'the dressmaker of the village,' was a universal favourite. Did not everyone in the village know him well? Did they not see him every

Sunday as head altar-boy, serving Mass, and every week-day hurrying to Castlefranco, where he was studying his classics, running along the road in his bare feet to save his shoes, which he had slung over his shoulder! That natural amiability of character he carried with him throughout his varied life, from the little cottage that was his home to the Chair of Peter in the Vatican Palace. An old man, on hearing of the election of Pius X, paid a fitting tribute to him: 'He is a man of God who knows the misery of the world and the hardships of life, and in the greatness of his heart would like to console every one.'

His work as Supreme Pontiff is still fresh in our minds: his defence of the rights of the Church, his sweeping away of the Austrian Veto, his emancipation of the French clergy, his championship of the Church in Ecuador, his condemnation of Modernism by the famous Encyclical *Pascendi dominici gregis*—'sufficient of itself to rank him among the greatest Pontiffs, defenders of the Faith' (p. 143)—his plans for the reformation of the clergy and for the improvement of seminary studies, his work for diocesan discipline and religious institutions, his legislation on liturgy and canon law, and, above all, his decrees on Frequent Communion. At the beginning of his Pontificate he took as his motto, *Instaurare omnia in Christo*—'To restore all things in Christ'—and his reign of eleven years in the Chair of Peter, from 1903 till 1914, is the expression of that ideal. His life was that of a saint, he was a man of many virtues, but, above all, was he poor in spirit. In his last will and testament he wrote: 'I was born poor, I have lived poor, and I wish to die poor.'

This Life of a great churchman—he has been compared with Leo, Gregory VII and Innocent III—is published under the auspices of the Very Rev. Don Benedetto Pierami of the Benedictines of Vallombrosa, Abbot of St. Praxede, who is the Postulator of the Cause of Beatification and Canonization. It is simply written, and, while it is not so detailed as many of the clients of the saintly Pontiff would like to see, yet it is sufficient to give a correct account of the life and work of one whom all Catholics hope soon to see raised to the honours of the altar. There is a Preface by Baron Ludwig de Pastor.

D. M.

AN ESSAY ON CATHOLICISM, AUTHORITY, AND ORDER. By Don Juan Donoso Cortés, Marquis of Valdegamas. New York: Joseph P. Wagner ('My Bookcase' Series: edited by Rev. J. C. Reville, S.J., Ph.D.). Price 5s. net.

THE formation of the 'My Bookcase' Series is a very laudable attempt to supply Catholics with a library of substantial works, covering the principal branches of literature and science. A passing article in the weekly or daily Catholic journal is not sufficient equipment for the defence of Catholic doctrine. The reading of Catholic newspapers—extremely important though it be—will not produce that wide and deep Catholic culture which is so much to be desired. Only in books can be found

a fair and adequate treatment of important themes : books, too, permit that re-reading and continuous study through which intelligent mastery of a subject comes. The editor of the Series is deserving of a further commendation, in that he has chosen the great Catholic classics, which have by the hard test of time proved their real worth. His list contains many works by famous Catholic writers, which will perennially delight and instruct. There are others of less notable repute and less assured value.

The subject of our review is an essay written by a gifted Spanish writer who, in the troubled days of the Regency of Queen Maria Christina, defended the cause of the absolutist monarchy with eloquence and passion, and, after a distinguished political and diplomatic career, died in 1853 Spanish Ambassador at Paris.

The aim of the essay is to show that Catholicism is the only satisfactory explanation of human problems, and the only basis of social and political well-being. There can be no second opinion about the force and eloquence of the author. His is no apologetic temper ! Witness this : 'I know not if there exists anything under the sun more vile and despicable than mankind outside of the Catholic sphere of thought.' He displays a penetrating wit and a gift for epigrammatic and paradoxical expression. Here we find at the head of the first chapter that very thought which was acclaimed as original in a modern writer : 'Every great political question involves a great theological one.' We are reminded of another modern writer of distinction when we read sentences such as this : 'The virtue of contemplative men and the stupidity of the clever, alone preserve the world in a state of perfect equilibrium.' But at times the author revels in a subtlety which is rather bewildering to the mind untrained in metaphysical speculation. He is keenly interested in deep philosophical problems, and devotes his attention mainly to such subjects as Free Will and Grace, the Existence of Evil, Original Sin. It is certainly important that Catholics be well instructed on these questions ; but we doubt whether this essay contains such a presentation as would be found straightforward, helpful and satisfactory by the ordinary Catholic at the present day. It is not merely that simplicity is sacrificed to point a striking paradox, as when he says that Christ conquered the world, not by His miracles, prophecies, or the truth of His doctrine, but in spite of these. It is that he is often obscure and misleading. There are sentences such as this : 'If, after having attentively and separately considered the angelical and human prevarications, and found them to be each a perturbation by accident, but in essence a harmony, we consider both prevarications at the same time, we shall behold with admiration the manner in which their harsh dissonances are changed into marvellous accords by the irresistible power of the divine Thaumaturgies.' And statements such as this : 'Fallen and corrupt man has not been made for the truth nor the truth for him.'

Modern readers will find it difficult to maintain interest in vigorous assaults on men and views that are long dead. Don Cortes belabours heartily the enemies of his day—Liberals, or Proudhonian Socialists. He

writes for the troubled period of 1849 and its problems, so that the revival of his work nowadays suffers severely in its complete lack of contact with modern conditions and problems. This is only too evident in his attitude to political matters. People nowadays do not find any sanctity in absolutism, nor any contradiction between Catholicism and democracy. Neither do they accept without qualification the statement that 'All subversion, whether it be in the the political or social order, is condemned by the Catholic theory as foolish and useless.' He does not make any room for the subversion of injustice.

The translation from the Spanish reads very easily. We would call attention to what seems a printer's error—'*superstition*,' on page 130; and to the fact that Mr. G. K. Chesterton's brother was Cecil, not Cyril, page ix.

M. J. B.

ESSAYS IN SATIRE. By Ronald Knox. London: Sheed and Ward.
Pp. 287. Price 7s. 6d.

ALL great literature is essentially Catholic, because it pierces through the proud flesh of sham and ephemerality to the living tissue of reality and truth. But rare as the rain bearing clouds in the desert are such masterpieces. Of lesser works, however, there is seldom a dearth. These nourish while they are fresh, but offer no well-filled reservoirs from which future ages may draw. Yet they are not to be despised because they do dazzle and influence for the moment. Hence the injury to religion that resulted from the divorce of the Church and the litterateur ever since the sixteenth century. With Newman a rapprochement was begun; to-day we have only to run an eye down the bookseller's catalogue to see how complete it has become. Again Catholic apologists suffered through choice, or perhaps, limitation of weapon: they were prosaic, sensible, logical, and therefore dull—they addressed themselves to men's intellect alone and not to the whole man, forgetting that Luther won over whole kingdoms by vigour and raciness of expression, and Voltaire sapped a nation's faith by witty sneers. To-day wit and laughter are on the side of orthodoxy: Father Knox is symptomatic of a movement, not an isolated note.

Received into the Church in 1917, the advent of spiritual peace caused no flagging of energy. He has written poems, essays, and an apologia: he works on the mission, preaches, teaches and lectures. Scarcely three months back he visited Dublin to speak on the Anglican chaos. Young and apprehensive looking, distinguished by large luminous eyes, that sparkle with light when he smiles, and that is most of the time, a thick wave of hair pushed across a narrow, intelligent forehead—that is Ronnie Knox. As Chesterton says:—

'Mary of Holyrood may smile indeed,
Knowing what grim historic shade it shocks
To see wit, laughter, and the Popish creed,
Cluster and sparkle in the name of Knox.'

The present volume, *Essays in Satire*, is new only as a volume—all the essays have appeared in some magazine, tract, or weekly already. The justification of their unified appearance is the justification of my having indexed book-shelves in my room instead of pitching books around any old place and any old way. Simply order. There are eleven essays altogether, with an introduction, analysing the concepts of humour and satire. To the scholar this last is the most interesting and useful chapter. After showing how neglected has been the scientific study of this question, he goes on to touch on the origins of humour, and to explain that the obscene is an illegitimate effect of humour. There is nothing incongruous in the *existence* of sex and the other animal functions; the incongruity, that is the essential of humour, 'lies in the fact of mentioning them.' Then he discusses the precise nature and distinguishing marks of wit, satire, and humour in a few invaluable paragraphs, and finally contrasts them. Tentatively he speaks of the comparative youth of humour, suggesting that it is of nineteenth century birth. That is scarce correct. What about *The Vicar of Wakefield*, for instance? The first of the essays proper, entitled 'Reunion All Round,' is an effective parody on broad-mindedness (*sic*) in religious beliefs, showing up by sheer logic and a mordantly apt vocabulary the true spirit that animates such reunion attempts as last year's Lausanne Conference. A highest common multiple is aimed at, but it works out in practice at a big nought.

The second is a rhymed digest of the religious views of the less conservative Anglican churchmen, after the manner of Dryden's famous satire. I will append just one couplet to show how felicitous and yet how stinging such poetry can be. This of Rev. Streeter:—

'When suave Politeness, temp'ring bigot zeal
Corrected, "I believe," to "One does feel."'

'A New Cure for Religion' is the title of the third, a skilful and amusing poke at the evolutionist who would reduce all psychology ultimately to glandular physiology. Next comes 'The New Sin.' We will not give away the secret here—the laugh was against ourselves when we had read it through, and we would like to see our readers fall into the same trap. Then follow five essays, each complete in itself, yet each pillorying in no uncertain nor ineffective manner the critical methods of modern biblical scholars. We laugh at the ingenuity as well as the absurdity of the examples he works up, but at the end we are convinced how subjective are the arguments that are advanced to bolster up the 'Q' source theory, and the Trito-Isaias, and the host of fanciful fads that the liberal exegete excogitates and then proves! The tenth is headed 'Jottings from a Psycho-Analytic's Notebook,' and the last is the broadcasting scare that convulsed one half of the listeners-in and terrified the other half, 'A Forgotten Interlude.'

The volume is frankly satirical, but it is never bitter. It is too much shot across with real genuine humour for that, too redolent of the undergraduate spirit, that appears to be flippant, whereas 'it is only full of

fun.' It is the work of a man who is by nature a humorist, but through sense of duty a satirist.

Finally we may remark there is an autographed edition *de luxe* at a guinea per copy. The cheaper edition is one of the dozen new books obtainable each year at such inviting terms by members of this enterprising firm's 'Book a Month Club,' the annual subscription to which works out at only a half-crown per volume distributed. However, we do think that the ordinary price of seven and sixpence is a little high for the volume, even as books go. Doubtless it will run to a second edition soon, and may we suggest a revision of price then?

C. L.

'THE HISTORY OF THE POPES.'

COMPLETION OF PASTOR'S GREAT WORK ASSURED.

ON September 30, 1928, there died at Innsbruck, in the seventy-fifth year of his age, Dr. Ludwig Freiherr von Pastor, the famous historian and Plenipotentiary of Austria to the Holy See.

Dr. Pastor's death was a great loss to the Church and to learning, for his whole life had been dedicated to the service of his religion and to the advancement of historical science. His *Lives of the Popes* remains as a monument which, by its vast erudition and scientific accuracy commands the respectful admiration of Catholics and non-Catholics alike. In his private life, Dr. Pastor was a devout Catholic, whose exemplary piety during his last illness edified all around him. The esteem in which the present Holy Father held this great man of letters found expression in the request for daily bulletins made by His Holiness, and Dr. Pastor, with his last breath, renewed his unswerving loyalty as a true son of the Church: 'Tell the Holy Father,' he said, 'that my last heartbeat will be for the Church and the Pope.'

The death of the renowned historian may give rise to apprehension that his life-work, *The History of the Popes*, may remain incompleted. By a special dispensation of Providence, death did not lift the pen from his hand before the last page of manuscript was written, and thus publication of the whole of the sixteen volumes—in which he planned his monumental work—is assured. The first part of Volume XIII is already issued, and the second part nearly off the press. During the summer of 1927, the text of Volumes XIV and XV was completed, and during 1928, Dr. Pastor put the finishing touches to the manuscript of the concluding (sixteenth) volume.

It will be a great happiness, therefore, to scholars all the world over to know that Pastor's *History of the Popes*—to the writing of which he devoted fifty years—will appear *complete and as originally planned*. The original German edition *Geschichte der Päpste* is published by Messrs. Herder & Co., Freiburg. Editions in English, French, Italian, and Spanish also are appearing and these, equally, should be completed in the not too distant future.

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TEMPORAL POWER OR POWER IN TEMPORALS—WHICH? OR BOTH?

BY REV. R. HULL, S.J.

THE agreement recently signed between the Holy See and Italy, which now awaits final ratification, marks an event in the history of the Church which is for all Catholics and, indeed, for all who have the cause of peace and order at heart, a subject of the sincerest satisfaction and joy. The Roman Question is at last definitely settled,¹ and what has for so long seemed to be no more than a dream, is now an established fact. But while we are congratulating ourselves on this happy result, it is necessary to be on our guard against certain false interpretations of it, which are, perhaps, only too natural in the circumstances. This settlement is not unfrequently spoken of as if it were a bargain between the Holy Father and Italy; or again, the enemies of the Papacy will see in it the first step towards the recovery of those temporal dominions which belonged to the Pope before 1870, or indeed, but another indication that the spirit of such medieval Popes as Innocent III or Boniface VIII is still living at the Vatican. All such ideas are based on a complete misconception of the real nature of the recent negotiations, as well as on a mischievous confusion between two distinct powers which the Pope claims in the temporal order. The settlement soon to be ratified is not a bargain; it is not a mere move in the political game, or the result of compromise and a judicious estimate of the possibilities of the situation, as seen through the eyes of an astute and opportunist Pope. The problem has always been one of principle; former

¹ It [the Holy See] declares the Roman question definitely and irrevocably settled and, therefore, eliminated.—*The Times*, February 12, 1929, in an official *communiqué* which summarizes the settlement.

refusals to accept proposed solutions were always inspired by this conviction. And as to the two distinct powers of the Pope in the temporal sphere, it is noticeable that, in the very instrument which contains the settlement of the question of the temporal power, the Pope, according to information at present available, explicitly reserves to himself the fullest jurisdiction—indirect it is true, but real—over all temporal matters, in so far as they are related to the end and purpose of his supreme spiritual power in the world.¹

The Roman Question generally calls to mind the events of 1870, and the virtual imprisonment—no less irksome because self-imposed—of the Pope in the Vatican since that date. This common reaction is an authentic evidence of a fact. The question of the temporal power of the Pope is, in truth, the question of the sovereignty of the Pope. It is concerned with him as a ruler of a definite State, independent and supreme—in other words, as a sovereign. The question, therefore, is, simply, whether the Pope rightly claims to be a temporal, civil ruler, with direct jurisdiction over a definite body of subjects, in the same manner as do other civil rulers. There are many connected questions; but this is the real centre of the problem: is the Pope to be recognized as on an equality, juridically, with other sovereigns of the world?

The word 'temporal' properly describes the power which belongs to a civil ruler; and the Roman Question therefore, is concerned with the temporal power of the Pope. But, unfortunately, the same word has been, is, and apparently, always will be, used of a totally different thing. In the first centuries of her history, the Church was mainly employed in the conquest of the pagan world to Christ, and in strengthening her own children to meet the cruel persecutions which these efforts brought on her. But, by

¹ *The Times*, February 12, 1929: 'A further clause declares that the Vatican wishes to remain, and will remain, extraneous to the temporal competitions between other States, as well as international congresses convened for this purpose, unless the parties in conflict appeal unanimously to its mission of peace, and reserves the right in any case to the exercise of its moral and spiritual power.' (Italics ours.)

degrees, and as her spiritual warfare met with ever-increasing success, the Church began to enter on a course of development in the temporal sphere, which in time raised the problem of her jurisdiction in that sphere—a problem which even now is not completely solved. That it should arise was inevitable. The Church is, indeed, a spiritual society; but she exists in the world, and she has to deal with men whose interests are both spiritual and temporal. Her claims in the spiritual order were never denied, except, of course, by those who, by that very fact, were her declared enemies. But the position with regard to the temporal order was not so clear. Into the different stages of the struggle and the arguments employed on either side we cannot here enter.¹ It must suffice to draw attention to the question in which the problem reached its most crucial expression. If the Church has real rights in the temporal order, what are her relations to sovereigns who hold supreme jurisdiction in that sphere? There were those who taught that the Pope is absolute master in spirituals and in temporals; emperors and kings are merely his delegates, and hold power from him. Famous names stand for this absolute theory, but it was never the official teaching of the Church.² The problem was, of course, extremely complicated in itself; and, perhaps, one of the chief reasons why it had to wait so long for its solution—even in principle—was the fact that the disputants were not agreed as to the sense of the word ‘temporal.’ Eventually, it became clear that the power of the Pope in the temporal sphere was not direct, but only indirect³ (a distinction to which we shall return). But it remained that his power was a real power, i.e., a power of jurisdiction, and not merely of counsel and direction.

¹ An admirable sketch of the development of ideas on the point may be read in *The Legacy of the Middle Ages* (Oxford University Press, 1927), pp. 509-517 (E. F. Jacob). The whole question receives masterly treatment in *Mediaeval Political Theory in the West* (Blackwood) by R. W. and A. J. Carlyle. A detailed discussion of the struggle at its most critical stage is to be found in the fascinating pages of M. Riviere's *Le Problème de l'Église et de l'État au temps de Philippe le Bel* (Louvain, 1926).

² For Suarez criticism, cf. e.g., *De Legibus*, iii. c. 6.

³ Cf. Suarez, loc. cit.; and *ibid.* iv. c. 9.

Briefly, then, the latter power is a power which is merely a special form of the spiritual supremacy of the Pope; the former is a power which—though connected with this spiritual power—makes the Pope a civil ruler, equal, juridically, with other civil rulers. It is instructive to notice the varying emphasis which either has received at different epochs. The theological balance takes its direction from the circumstances of the times. In our own day, the question of the temporal sovereignty has received special attention. The events of 1870 made it necessary to defend the rights of the Pope—a necessity which was not so evident in the days when the Pope was in peaceful possession of his civil dominions: the indirect power of the Pope in temporals, on the other hand, is more summarily dismissed. But if we turn to the writings of the great doctors, we find a striking difference in their treatment of the two questions. It is not an exaggeration to say that Suarez does not treat of the temporal power. When he wrote, nobody dreamed of denying that the Pope was in fact a civil ruler. The only approach to a theoretical treatment of the question in his monumental work *De Legibus* is found in his proof that the holding of temporal and spiritual power by the same person is not against either divine or human law.¹ However, he did in fact lay down the principles on which the theory of the temporal power must rest. The Pope must be immune from all temporal jurisdiction of civil princes. The temporal sovereignty of the Pope is, by later writers, based on this immunity; civil princedom is, they argue, the perfect and necessary actualization of this immunity. But Suarez never proceeded to this conclusion. In Bellarmine, the question of the indirect power of the Pope received what may be called its classical and definitive treatment; but the temporal power is discussed in two short chapters, and not as a theory but, as with Suarez, as a fact.² We have here a phenomenon common enough

¹ *De Legibus*, iv. c. 10.

² He, too, discusses the moral question of the possession of spiritual and temporal power by the same person: cf. *De Rom Pontif.*, v. c. 9.

in the history of theology. Theory lags behind facts. The Popes had long been acting as masters of the world, before the extreme views of some of its defenders appeared ; and the theoretical reduction of these extravagant views to their proper proportions was accomplished only long after the possibility, and, perhaps, the will, to put them into practice had passed. And, similarly, with the temporal power ; the fact was in possession for more than a thousand years before the theory came into prominence.

Let us now endeavour to make clear the foundation of the distinction of these two powers. Suarez writes ¹ : 'Subjection is of two kinds . . . direct and indirect. Subjection is called *direct* when it is within the end and limits of the same power ; it is called *indirect* when it springs from direction to a higher end, which belongs to a higher and more excellent power.' ² A homely illustration will, perhaps, help us here. The headmaster of one of our public schools exercises direct jurisdiction over the boys committed to his care. It may happen that in the vicinity of the school there is a tuck-shop whose attractions prove too alluring for the well-being of those boys. How is the headmaster to act ? He certainly has no direct jurisdiction over the tuck-shop ; he cannot, therefore, simply lay down the law for the shop-keeper, and confine him to certain times of selling his goods. But he can, and generally does, lay down a law for the boys, forbidding the too frequent use of the shop ; and, indirectly, this regulation affects the owner of the shop. He exercises, in other words, an indirect jurisdiction over that owner. Now, the Church is a spiritual society, and she possesses direct jurisdiction in spiritual matters, e.g., the Sacraments and doctrine. The State is a temporal institution, and its jurisdiction is exercised directly in temporal matters, e.g., the determination of the actual form of polity of the State. But there are some matters which are not simply spiritual, or simply temporal. Here the Church

¹ *Defensio Fidei*, lib. iii. c. 5, n. 2.

² Translation in Manning. *Vatican Decrees*, pp. 75, 76.

has a right of interference which does not amount to an exercise of direct jurisdiction, because her direct jurisdiction is confined to things which are in themselves spiritual. It is, therefore, a right of indirect jurisdiction. She acts in such matters not because they are temporal matters, but because they have a connexion with the spiritual sphere in which she is supreme. It may be admitted that the term 'indirect' is not very fortunate, as it is apt to be understood as denoting an inferior jurisdiction, not as real as is direct jurisdiction. This, of course, is not the case. It is just as real a jurisdiction as direct jurisdiction; but, as it is exercised in a sphere which is not in itself and immediately its province, it is called indirect jurisdiction. The most obvious example in our own times of a case of indirect jurisdiction is the matter of education. The Church will not leave education entirely in the hands of the State, because, while it is a matter which comes under the proper end and purpose of the State, it also comes under the end and purpose of the Church. She, therefore, claims in it the right of indirect jurisdiction. In spiritual matters her jurisdiction is direct; in temporal matters which are connected with the spiritual sphere, her jurisdiction is indirect.

With this distinction in mind, let us now return to a consideration of the powers of the Pope in the temporal order. Has he any *direct* jurisdiction in that order? As a temporal sovereign he has such direct jurisdiction in the limits of his dominions, i.e., in the Vatican City, according to the settlement just reached. Has he any indirect jurisdiction in that order? As Pope he has *indirect* jurisdiction in the whole world. This is the sum of the whole matter, but we may develop it a little by a consideration of a few specific points.

Who are the *subjects* of the Pope in virtue of these two powers? All baptized persons are the subjects of the Pope, in virtue of his indirect jurisdiction in temporals; but only the citizens of his dominions are his subjects in virtue of his direct, temporal power. Hence, it is manifestly

absurd to suggest—as has already been suggested¹—that the recognition of the temporal power of the Pope can in any way raise the question of civil allegiance to the sovereigns of the world. No such conflict arises; the Pope, as a temporal sovereign, is ruler only of the citizens of the Vatican City, *not* of British subjects or of subjects of other nationalities who happen to be Catholics.

Another point—how do *civil rulers* stand with regard to the power of the Pope in the temporal order? It is clear that they are in no way subject to him in his capacity as a civil ruler; the exercise of such direct jurisdiction would be tantamount to a denial of their sovereignty. But, from indirect jurisdiction in temporals, which is the Pope's, in virtue of his spiritual power, civil rulers, if baptized, are not exempt.

A further point—what is the *territory* over which these two powers are exercised? Is it the same in both cases? The indirect power of the Pope is exercised over the whole world; it knows no territorial limits. But his temporal power is strictly limited as to territory; it is exercised only within the boundaries of his civil dominions. That the possession of territory is essential to the possession of full civil sovereignty is generally accepted as axiomatic.² But it is necessary to develop the point, as it is not always given due prominence, even by Catholic writers.³ In the first place, it is well to direct attention to the distinction of fact and law. The absence in *fact* of territory does not dispose of the question of *law*. It is possible for a sovereign who has a right to territory to be, in fact, without that territory. Prescinding, therefore, from the question of fact,

¹ 'A discordant note has, however, been introduced in this chorus of satisfaction by the solitary piece of adverse British criticism which has so far reached Rome. This is, of course, the objection raised in certain academic circles that a conflict of sovereignty will, in the case of members of the Roman Catholic Church, be produced by the recognition of the Pope as a temporal ruler.'—*The Times*, February 16, 1929.

² 'Principes sine territorio non datur.'—Cappello, *Summa Juris Publici*, p. 489.

³ The article in the *Dict. Apologétique*, s.v. 'Pouvoir Pontifical dans l'ordre temporel I. Pouvoir Temporel du Pape IV,' col. 94, foll., seems to us to be an example in point.

we must ask ourselves how the question of law stands. It is certain that possession of definite territory was not given by Christ to Peter and his successors. Territory was, however, acquired in the course of time by the Holy See, and—in this sense—the civil principedom of the Pope rested on human law. But, putting aside such historical acquisition, and all questions of its legitimate nature, let us ask what is the theoretical justification of the possession of territory? In other words, on what grounds may the Holy See claim for itself such possession, apart from the historical means of acquisition? The theoretical justification of such claim lies in the fact that such territory is necessary for the exercise of the spiritual power of the Pope. But when this argument is examined it becomes apparent that it is, in effect, doubly hypothetical—not in the sense that the conclusion is in itself uncertain, but in the sense that it rests on the supposition of two separate necessities. In the first place, possession of territory is necessary for the sake of external appearances, i.e., to show in a visible and unmistakable manner that the Pope does possess complete independence in the face of all temporal jurisdiction in the hands of others. It is necessary, therefore, not in itself, but as a sign of what is in itself important. It shows forth to the world the Pope's immunity from all temporal jurisdiction; it is not, in itself, the same as this immunity, but it is—under actual conditions—the proper and perfect expression of such immunity. And, secondly, this immunity is necessary, not in itself, but in order to secure the possibility of the full exercise of the Pope's supreme spiritual power. If men were not men, but angels, then spiritual power would not involve such immunity. But in the world as it is, the former could not be said to exist, or at least to be free in the exercise of the jurisdiction which it involves, if its possessor were in any way subject to the temporal jurisdiction of any civil power.¹ As Suarez,

¹ 'If [the Pope continued] the object of the treaty had been merely to define and establish, according to essential needs, the sovereign status of the Holy See and of the Pontiff who happened to be reigning for the moment, this

in answer to a very strong objection against such immunity, says. it is necessary, *moraliter loquendo*, i.e., not in itself but because of the conditions under which the Pope's spiritual power has to be exercised.¹ Therefore, if either of these necessities were disproved, the grounds for the *de iure* possession of territory would vanish.

It is, perhaps, the appreciation of this doubly hypothetical character of the right to territory,² that has led the writer in the *Dictionnaire Apologétique* to stress so emphatically his view of the personal non-territorial sovereignty of the Pope. But in view of what has been just said, it is clear that it does not sufficiently take account of the facts of human existence.³

We are now in a position to answer the question which we have placed at the head of this article. A definite terminology is absolutely essential for clear and accurate thinking, in this as in other subjects. The term 'temporal power' should be reserved for the power of the Pope as a civil prince. The term 'power in temporals' should be reserved for the indirect power which is a consequence of the spiritual power of the Pope as Pope. A strict adherence to this use of terms would be the best means of avoiding much confusion of thought and much argument at cross-purposes. The fundamental distinction in all questions relating to the jurisdiction of the Pope in all its forms is that between direct and indirect jurisdiction. The Medieval problem of Church and State was, in principle, solved by this distinction.

would have been achieved by the obtaining of a certain measure of that *territoriality which in present circumstances is regarded as an indispensable condition of sovereignty.*' A report of His Holiness' speech to a deputation of professors and students from the Catholic University of Milan. (Italics ours.)—*The Times*, February 15, 1929.

¹ *Def. Fidei*, iv. c. 4, n. 9, foll.

² Of the two necessities, the former is the more questionable, and, as has been noted above, Bellarmine and Suarez do not develop it.

³ It may be objected that, even without the possession of territory, the independence of the Pope could be sufficiently guaranteed by the recognition of his sovereignty by the civil rulers of the world. But in fact this would not be sufficient. As matters stand mankind does not recognize any sovereignty which is not territorial. In future ages the opinion of the world, and of jurists, may change on this point; when that happens, then the necessity for territory will disappear. But at present that necessity remains.

That problem was concerned with the Pope as Pope, i.e., with the extent of his spiritual power. It was at last recognized that his spiritual power was exercised only indirectly in the temporal sphere. And, at the same time it became evident that under this aspect it should not be called a 'temporal power,' but a 'power in temporals.' Turning now to what we may not unfairly call the modern question, i.e., the Roman Question, the above distinction is again of vital importance. In this case, the power of the Pope is a power of direct jurisdiction in temporal matters; and, therefore, the proper term to denote it is 'temporal power.' In the sphere, therefore, of temporals, the Pope is the possessor of a double jurisdiction—an *indirect* jurisdiction to be exercised throughout the world, and a *direct* jurisdiction over a definite territory and a definite body of subjects in virtue of his power over such territory.

R. HULL, S.J.

We write before the terms of the settlement have been made public; but all indications emphasize the 'other-worldliness' of the motives behind the Pope's claim to be recognized as a temporal ruler. In addition to what has been said above, we may instance: (1) The report that the actual territory of the Vatican City is to be even smaller in extent than at first stated; (2) the official communication made by the Cardinal Secretary of State that the list of persons to be allowed to reside within the boundaries of the Vatican State is to be thoroughly reviewed. It is intended to reduce the number to the lowest possible minimum.

CONSIDERATIONS ON THE TRIAL OF JOHN OGILVIE

BY REV. W. E. BROWN, M.A.

I

ON the 10th of March, A.D. 1615, a Jesuit priest (John Ogilvie) was hanged at Glasgow Cross. The execution took place after a series of examinations which had been spread over five months. The legal formalities had been fully observed; according to statute law and the procedure of the civil courts the accused was guilty of treason. There was no doubt as to the deliberate intention of the government. James VI, who had become James I of England, had been consulted, and had replied that if Ogilvie maintained his opinions the law was to take its course.

The prisoner had had ample opportunity of explaining his position, and had done so. He maintained that he was put to death for religion alone. Catholics who knew him and knew of him at the time were insistent in their belief that he died as a martyr for the faith.

The main facts of Ogilvie's case are not then different from those of the numerous English Catholic victims of the Elizabethan persecution. They can, however, be studied more conveniently with regard to him than with regard to the others, and this for two reasons. In the first place we possess a comparatively detailed account of his examinations written, in part by himself in part by those of his friends who were present in Glasgow, and authenticated by them. The account is, further, not inconsistent with a shorter summary given by his opponents.¹ We are, therefore, in this case free from difficulty concerning what really was

¹ These accounts are given in Forbes *Jean Ogilvie*; translations are given in *Karslake Authentic Account* and in Brown *John Ogilvie*.

said and done in the trials and at his execution. In the second place there was no accusation of consent to an armed conspiracy against the State; such was frequently made in the time of Elizabeth, and even when entirely false creates at first an atmosphere of suspicion—as it was intended to do. James VI who cared as much for theory as he did for practical success, was ready to condemn for doctrine alone; Ogilvie, therefore, appears plainly in historical record as the witness for a doctrine.

When Catholics hear of these executions in the reigns of Elizabeth and James VI they are naturally inclined to regard the victims as martyrs. It is as natural as the instinct which makes us think that a decent Englishman, shot by a foreign power, has been unjustly done to death. And when we read the accounts our instinctive judgment is easily confirmed. It is so clear, for instance, that Ogilvie was a good priest anxious above all to preach the Catholic faith and to administer the Catholic Sacraments, that we cannot imagine such a one to have been guilty of a crime deserving of death. And when we read the reasons given for the action of the State, when we find the judges acknowledging that they give the capital sentence on account of an opinion which they themselves have extracted from the prisoner, when we recall that no civilized State would to-day adopt such a process or inflict the death penalty in such a case, we are so convinced of the injustice of the proceedings that we jump at once to the conclusion of martyrdom.

This instinctive judgment of Catholics is not without its value as evidence, but it is not sufficient to prove martyrdom. As a matter of course we are bound in cases of this kind to hold our opinions subject to the judgment of the Church, and the opinions which I shall express in these articles are given always with that proviso. But, further, we ought carefully to examine the circumstances of these executions so as to see clearly why Catholics accepted death in the reigns of Elizabeth and James VI, and if they were right in doing so.

In the first place we have to consider whether the State as it then existed had any just cause for putting such a man as John Ogilvie to death. It is not sufficient for us to say that a civilized State would not execute him to-day; after all a civilized State would not execute a man for sheep-stealing, and yet we would not call a Catholic sheep-stealer of the seventeenth century a martyr because he was hanged. If the State has no just cause against the man it executes, he is a victim of injustice; but he does not, for that reason alone, die because he is a Catholic. It might happen—it has happened—that because a man protests against some manifest political injustice, the State puts him to death; he may be a Catholic—and a good Catholic—but he does not die for being a Catholic. So in the case of John Ogilvie we have to consider further whether the reasons for which the State put him to death were involved in his being a Catholic. Did his loyalty to the Church cause him to take up the attitude for which the government of James VI inflicted the death penalty?

Even at this point our enquiry is not complete. A man might die for England, and yet not die for what England binds him to do. So a man may be executed for being a loyal Catholic, and yet not be a martyr, i.e., a witness of the Catholic Faith. A martyr in other words is something more than a soldier. In this third enquiry, the conclusions of which must especially be left subject to the judgment of the Church, we are directly concerned with the Church's definition of martyrdom. We must follow, therefore, that standard study of it by Pope Benedict XIV—the *de beatificatione servorum Dei*.

There are then three questions to be answered in regard to the trial and execution of John Ogilvie. First, had the State a legitimate cause for putting him to death? Secondly, was he put to death as a Catholic? Thirdly, was he a martyr?

The first question might be put thus: was Ogilvie sentenced to death for anything save his religion? If I were merely attempting to justify Ogilvie before the bar of

history I should examine only the penal statutes under which he suffered. Whatever the private opinion of the judges, whatever the personal motives which induced them to pass sentence, the objective cause of death by a legal sentence is to be found in the statutes according to the terms of which sentence is passed. In the case of Ogilvie there was only one statute cited under which he could be condemned to death. It was that of 1584, which made it treason to refuse to acknowledge the King's power and authority in all causes spiritual as well as temporal. Not once only in the course of his examinations he acknowledged the King's temporal authority. 'In every duty which I owe the King,' he said at his last trial, 'I will show myself a most obedient subject; for if any invade his temporal rights I would shed my last drop of blood in his defence.' But from first to last he expressly denied the King's spiritual authority. 'For the declining of the King's authority' he also said at that last trial, 'I will do it still in matters of religion.' Taking then the only statute of the indictment which contained the death penalty, and which Ogilvie infringed, we are bound to say that in strict law Ogilvie died for denying the King's spiritual authority by asserting that of the Pope. The situation at the end of the long series of examinations was the same as it was on the first day when one of the magistrates said: "'Tis treason to assert that the Pope has spiritual jurisdiction in the King's dominions.' And to that Ogilvie replied: 'It is of faith to hold that.'

If our concern was merely to show that death was inflicted for matter of religion, such an argument would be valid. But we are concerned to show that the State had no just cause at all against Ogilvie, and this entails a more detailed examination, for we have to consider not only what charge was preferred against him, but what charges could have been made.

It is generally agreed that the State has the right to inflict the death penalty for certain anti-social crimes. Nowadays, the practice is usually limited to cases of

deliberate homicide; but we must remember that this is a modern restriction, and intimately connected with our modern facilities for segregation and imprisonment. In other times the State may have been justified in imposing the death penalty for other reasons. We need not linger in the discussion, for Ogilvie was not even charged with any external action for which the laws inflicted the punishment of death. He was not even charged nor is there a shred of evidence to suppose that he had ever been connected with a conspiracy to overthrow by force of arms the Governments of Scotland and England as they then existed. He was charged on two counts according to the indictment published by royal authority in 1615; first that he 'professedly avouched the Pope of Rome's jurisdiction,' and secondly, that when his opinion was asked on certain matters he 'denied to give an answer, except he were enquired thereof by the Pope or others having authority from him.' The first charge is clearly one affecting the Catholic religion, and so we can leave it for later discussion. The second, according to the Government of the day, did not properly touch religion.

It is natural for us now to think that a civilized State has no right to punish for mere opinion and, therefore, has no right, first to force a man to answer, and then to punish him for that answer. In the last trial of all Ogilvie himself for one moment took this defence: 'Judge me,' he said, 'by my words and deeds: leave to God, to Whom it belongs, the tribunal of thoughts.'

Nevertheless, if we would be strictly just, we must admit that opinions can be dangerous things and, if they are such that the opportunity for expressing them may frequently occur, they may be inflammable material in a badly-policed State. The peace and order of society may depend at certain times on the fact that men maintain the old loyalties to traditional government. If a man holds opinions contrary to the traditions of his country he is at least a potential revolutionary. Let us concede—for we are stating the case for the Government—that the State has the right to remove

such a one, and even to execute him. Even so the Government of James VI had no cause against John Ogilvie, since he expressly accepted the traditional form of government of his country. Even his judges reported him as saying: 'Where I am thought an enemy to the King's Majesty's authority, I know none other authority he hath, but that which he received from his predecessors who acknowledged the Pope of Rome's jurisdiction.' It was the same position which he had taken in his examination before the Privy Council at Edinburgh: 'What do we owe the King more than our ancestors owed to his? If he has all his ruler's rights from them, why does he seek for more than they left him by the law of succession.'

John Ogilvie, then, held as most Catholics have done, and still do, that we must accept the traditional government of our country simply because we are born into it. This attitude to the State, however, is not based on mere conservatism. It is intimately bound up with the fundamental conceptions of a moral order. Those who believe that God created man to live in society, believe that God implanted in man a moral obligation to obey the government of which he is a subject. They do not hold that man is bound to be a loyal citizen only in so far as the State will punish disobedience, but that he is bound in conscience and before God to obey. Though the State may, and does, use force to impose its commands, those who believe that God made man as a social animal believe also that the authority of the State is a moral authority, and that it comes from the human nature which God created, and is, therefore, to this extent, a divine authority. When a man denied this doctrine, at least in the seventeenth century, he was potentially a rebel against the State. Let us concede then—again we are pleading the cause of Ogilvie's judges—that the State had a right to force a man to express his opinion on this doctrine, and to punish by death its denial.

Yet once again the government of James VI had no cause against John Ogilvie. He had no hesitation in acknowledging that the authority of the State was founded

in human nature. At the Edinburgh trial he stated quite simply, 'the same natural law which makes him a King makes me a subject.' That Ogilvie meant by this that he had a duty or obligation to the King is shown by another answer of his given in the same examination: 'What I owe the King I will pay.' And that this obligation was a moral one he expressly admitted when he said, 'moral authority, such as the King's, is determined according to the purpose and circumstances for which and in which it is used.'

This last answer of Ogilvie's was his justification for refusing to give the names of the people with whom he had stayed in Scotland. A Member of the Privy Council had urged that the enquiry was made in the ordinary course of law, and the prisoner had already admitted he would answer such enquiries. He persisted, however, in his refusal to give the names on the ground that the King intended to use his answer in a campaign against Catholics, and justified himself, as we have seen, on the ground that the King's authority, though morally binding, was limited in scope.

The thought at once suggests itself: was he quibbling? The answer depends on two questions. First, is it possible to acknowledge an authority to be moral, to be binding on the consciences of subjects, and yet to be limited in extent? Secondly, was Ogilvie right in maintaining that such a limit had been reached by his judges? If a negative answer be given to the first, then Ogilvie's contention fails, for throughout his trial he constantly asserted this limitation while protesting at the same time his belief in the duty of obeying the King.

The grounds for asserting the moral authority of the State are these: that the nature of man requires him to live in society with his fellow-men to obtain a common peace and temporal happiness; that a ruler is necessary to direct the society to this peace and temporal happiness; that God the Creator of man has made him thus, has created this arrangement or order, and, therefore, has imposed on

man's conscience the duty of conforming himself voluntarily to this scheme. The same reasons which prove the moral obligation of obedience to the ruler of the State prove that obligation to be limited. It exists because man is created to obtain a common peace or temporal happiness ; therefore, it does not exist when the ruler strives to destroy that common peace and temporal happiness. It exists as a moral obligation, because the Creator has so willed to create man's nature ; therefore, it ceases when the ruler strives to use it against the expressed will of the Creator.

This latter, theoretical, consideration becomes of immense practical importance for those who profess and call themselves Christian. They believe that God declared by the mouth of Jesus Christ what is the only true religion for all men, i.e., what every man is bound to believe, and do in regard to his worship of Almighty God. Since God who created human nature and human society has also declared this revelation, Christians must accept at least this clear limitation on the powers of the State : they cannot concede that the State has authority to require from them anything contrary to the teaching of Jesus Christ, for the State would, in doing so, be acting contrary to the order or harmony which God has created and, therefore, in this matter its moral authority would cease. Ogilvie himself was once able to put his quarrel on this simple ground. When he said at Edinburgh, 'What I owe the King I will pay,' one of the judges made the riposte : 'The King forbids Masses, and you say them.' To it Ogilvie replied, 'Judge ye whether I ought rather to obey Christ, or the King. For Christ instituted the Mass, and ordered it to be offered up, as I will prove if you want me to.'

But for those who are Catholics the limitation has a much more practical issue.

They believe that Christ constituted a divine society, the Church, to which he gave unique and full authority to teach the religion which He had revealed, and that He guaranteed that the Church should never at any time fail in expounding this religion. They believe that this mission

was given only to the Church and, therefore, no one else, learned or simple, magistrate or subject, has any right in the Divine order of things to determine what is or what is not true religion. They believe, therefore, that a man's loyalty to the Church is not subject to the moral authority of the State. God has not only given the Church a mission to claim the allegiance of men, but promised that She shall not err in making that claim ; the moral authority, therefore, which God gave to the State in creating human nature, can never be violated by loyalty to the Church, for God, the author of both authorities, could not have made them contradictory. Therefore, Catholics must hold that when the State requires of a man anything contrary to his loyalty to the Church, it is exceeding the power which God has given it, and to that extent, therefore, its moral claim to obedience ceases. If the State in these circumstances puts a man to death because of his loyalty to the Church, it is persecuting him for a matter of religion since the Church is, by Divine institution, the only guardian of the true religion. I do not say that such a man is necessarily a martyr (that question must be separately determined) ; but I do say that, given the Catholic Faith which we here suppose to be true, the State which puts a man to death for his loyalty to the Catholic Church, as it exists at the time of his death, is persecuting him for religion.

It makes no difference whether the State maintains that the doctrines he holds are not part of Divine revelation or are not part of the Catholic Faith ; once that Faith is presupposed the State can be no judge of the matter. The only ground on which the question can be decided is whether the doctrines which the man maintains are those held by loyal members of the Church and permitted by the Church to be taught. If they are, then the State has no moral right to sentence to death. It may be that the man is not really a martyr, it may be that the State has a right to protest against these doctrines as not being a matter of religion ; but the State has no right to execute such a man, for the Church is the sole guardian of religious truth, and

the State has no right to determine whether a particular doctrine is a matter of religion or not.

Throughout his trial John Ogilvie maintained that the Government were claiming such an authority, that they were claiming to exercise spiritual authority, that the charges against him were matters of religion. He refused to answer the question as to the people with whom he had stayed on the ground that the King intended to use the information 'to arrest and punish Catholics,' and that this was to claim to be a judge in spiritual affairs. To the King's questions he refused an answer on the ground that 'he was not obliged to declare his opinion except to him that is judge in controversies of religion which he acknowledges to be the Pope, or some one having authority from him.' He professed his acceptance of the moral authority of the State, but he limited it, as we have seen a Catholic must, to those matters which are outside religion. He asserted that the answers which he gave were incumbent on him as a Catholic because the enquiry of the State dealt with a matter of religion.

On the other hand the State called his attitude treason, and sentenced him to death for it. It claimed the moral right to do so on the ground that there was no matter of religion in these questions. 'You are not accused,' said the prosecutor at the final trial, 'of saying Mass, nor of seducing his Majesty's subjects to a contrary religion, nor of any points touching you in conscience properly.' So the State for the purpose of this trial accepted, implicitly at least, the position that Ogilvie had the right to exclude matters of religion from the King's jurisdiction.

In conclusion, the first question with which we started was this: was Ogilvie put to death for anything save his religion? The State denied it; Ogilvie affirmed it, even to the point of death. It reduces then to the question: were the answers which Ogilvie made incumbent on him as a Catholic? If they were, then before God (assuming the Catholic religion to be true) the Government had no cause against Ogilvie, and were persecuting the Catholic

religion in him. If they were not, then Ogilvie died as a brave man for his principles, but not for the Catholic Faith.

How is the question to be settled? Assuming the truth of the Catholic Faith, matters of religion are those which the Church teaches, for God has constituted her the sole teacher of religion, and warranted her teaching. Our enquiry, then, does not turn on a philosophical discussion as to the nature of Ogilvie's theories, but on the far simpler one: was the attitude of Ogilvie one which the Church expected her loyal members to take in the early part of the seventeenth century?

W. E. BROWN.

[*To be continued.*]

HOW TO TEACH THE CATECHISM

BY P. IVERS RIGNEY

A SUCCESSFUL priest must necessarily be a successful teacher, even though he lives the contemplative life on some lonely mountain side, far removed from the haunts of men. Enda, amid the wilds of Aran, and Kevin, in his desolate cave in awe-inspiring Glendalough, are powerful teachers for all time. Educationists are thus right in speaking of St. Maur, St. Columba, St. Boniface, and a countless list of others, as being prime agents of civilization, that is, they are teachers in the true sense of the word. This gives the sound idea of the force of good example being the first essential of a successful teacher, under which comprehensive term all successful priests must be included. A brief consideration will show that the office of teacher needs something very much greater than that required in the faculties of medicine, law, engineering, music, or the like, for it is possible to be a successful doctor, lawyer, engineer, or musician, and concurrently to be a bad and vicious man; but it is not so with the teacher, who, unquestionably, must be a good man or woman as a first step to becoming a good teacher. A man of evil or weak character can, of course, give much useful information, but the mere giving of information does not constitute teaching. It cannot be too clearly stated, especially in these days of careless thought, that the man of high character must always be a successful teacher, because he is certain to have good influences among his circle of acquaintances, which is the chief goal in teaching, that is, in striving to improve humanity. It is interesting to note what Professor Laurie, in his *Institutes of Education*, says on this matter:—

It is, when you think of it, a very daring thing in you to profess to

educate a human being. Where are your credentials? It seems to me that one who stands before the world and professes to educate is guilty of an impertinence, unless he can produce a commission, not from a university or a college, but from God Himself. It is a grave and serious business. In any case, it is surely not too much to demand of you that you have some definite ideal. Why, a cabinet-maker has his ideal of the completed cabinet, as he saws and cuts, planes and joints and polishes. You are engaged in forming the finest, most complex, most subtle thing known to man, viz., a mind; and do you propose to go on from day to day as your fancy prompts, tinkering here and tinkering there, and seeing what comes of it? Surely not.

Now, I wish next to say that the ideal you have for those whom you educate must be the ideal you have for yourself—your own life. You cannot rise above yourself, any more than you can carry your head in your mouth. This is the true meaning of the saying, 'As is the teacher, so is the school,' to which I beg you to add an even more important truth, 'As is the man, so is the teacher.' The prime qualification then in the teacher who educates, is that he himself shall have an ideal for his own life, and shall be educating *himself* up to that: your pupils learn by doing what you do. The educator has first of all to look to himself, and the study of education is also the education of the student; the ideal and method are for him first, and for his pupils next.

It is quite reasonable then to hope that great results will spring from the teaching by example alone; it is certain that there will be no profitable results when there is no suitable example. At the same time it is true to say that the priest or teacher, in an Irish country parish of to-day, has a far more difficult task to perform successfully than had Enda, Kevin, or Columba in the far off days. The saints of old taught mostly by example; the teachers of to-day must use both example and instruction given systematically and psychologically; the saints of old attracted but a percentage of the crowd within the sphere of influence, but a present-day priest or teacher is frequently expected to attend to the spiritual needs of an entire parish, no exceptions being made; the saints of old needed no knowledge of the mentality of those they influenced so strongly, but a modern teacher, really deserving the name, must keep an untiring watch on that subtle and invisible material on which he strives to work, and without a knowledge of which he is but merely wasting time which might otherwise be very

usefully employed. All this, then, shows that a teacher, to be successful must use the double force of (1) good example, and (2) properly applied instruction.

In order to teach the Catechism, which here, of course, means the little book of Christian Doctrine used in the Catholic schools of Ireland, there are certain educational truths which must be firmly grasped, such as the forces of *attention*, *interest*, and *desire*. The teacher must have a practical knowledge of arousing and holding *attention*, and leading it to *interest*, which in turn becomes *desire* to know more of the subject on which the teacher speaks. It follows naturally that where there is no attention there is no real teaching or development of mental faculties. Neither voluntary nor involuntary attention can be aroused unless there is a clear understanding of the mental life of the person under instruction. In order to show the vagaries of the mysterious mentality of children, the following cases are mentioned. They are true, and have been witnessed by the writer of this essay. They are not put down as being exceptional, but are typical of what is constantly going on in the ever fickle mind of a child.

Case 1.—A priest entered a school and informed the children that on the preceding Sunday he had forgotten to make an important announcement concerning fast days, and that he had a message for them to take home to their parents.

‘I think they understand what they are to do?’ remarked the priest to the teacher, as the message had been given.

‘I was just wondering was even one attending to you,’ answered the teacher—who was quite right—as subsequent questioning proved.

‘That is extraordinary,’ added the priest, ‘and I was sure that every boy was paying me great attention.’

‘They were paying great attention, certainly,’ resumed the teacher; ‘but it was to this approaching steam thresher, which is always a prime attraction to boys, and fast days are not.’

‘I see. How can I produce a greater attraction for fast days?’

‘Tell them that you intend questioning them on the matter of your remarks; and then repeat.’

Here there are three important items, namely (1) a subject always readily claiming voluntary attention, the

steam thrasher; (2) a subject not interesting to schoolboys, fast days; (3) no apparent need to attend. The introduction of the stimulus of questioning produced an involuntary attention which triumphed over the former voluntary one, and thus picked up the given message.

Case 2.—A priest noted for his love of children entered a school to examine a class of over twenty pupils for Confirmation. He knew the faces and names of the children, but another priest was in charge of the religious instruction. His first question, put to the class in general, was answered with excellent expression by one of the boys, who received due praise, and was placed at the head of the division. The examination continued until but three pupils remained.

‘These seem to be quite hopeless,’ said the priest to the teacher, who was standing near. ‘They have not answered me a single question. What do you think of them?’

‘These two are certainly not much good; but the third is the best boy in the class. I cannot speak highly enough of him.’

‘The best boy in the class, and not to answer a question. I placed this boy first as being the best?’

‘He is one of the worst boys in the school,’ added the teacher. ‘He attends very irregularly and, as a consequence, takes no interest in his school duties. He has the advantage of being of cool temperament, and will not fail to answer what he knows. He was lucky enough to get one of the very few questions he can answer, and thus made the most of his good fortune. This boy, here, who is now among the three worst, is an excellent boy, nervous and full of ambition. He broke down completely on seeing the place which should have been his, wrested from him by an inferior boy. Now, as a simple experiment in education, I, with your permission, shall put a few questions to the boys, and then you will kindly repeat the examination of the two.’

It was thus shown that a boy who really knew his business was wholly unable to answer owing to his nervous ambitious nature, not being content with a place lower than first. The examiner in this case was not to blame, as his manner was kind and gentle.

Case 3.—Another instance of the results of this nervous ambition happened as a school inspector was examining some pupils in geography. He lost his good temper, as a boy missed what was really a very simple matter.

‘I am wondering why he missed that?’ remarked the teacher, near by.

‘Probably, because he doesn’t know the answer,’ continued the inspector.

‘Addison, it is said, was not much of a speaker,’ resumed the teacher.

‘Because he was a nervous man,’ added the examiner.

‘Why do you not say that the boy is nervous?’ asked the teacher.

‘Do you think he is?’

‘Three things tell me of his evident nervousness : I know him well ; his face is unusually pale, and his fingers are continually tapping the desk.’

The inspector paused for a moment before replying in a more kindly tone of voice :—

‘Is not education a great puzzle?’

He was not right in this query, because education is not a great puzzle, but is in reality a very simple matter, provided a little common sense is used and the personal equation thrust resolutely back. It is the educationists, as will be presently shown, who are the great puzzle, because they frequently fail to see what ought to be obvious to all trained intellects. The mind of the child is invisible and mysterious, but there are easy ways of knowing much about it.

Case 4.—A young priest in charge of the religious instruction of a certain school was disturbed on finding that he failed regularly to gain the attention of his class, though in another school he was a most successful teacher, as he deserved to be. No matter how he prepared his lessons the failure was the same. He spoke to his friend the teacher, just as he dismissed his pupils one day and saw them hasten out to play.

‘I wonder what is wrong,’ continued he. ‘Do you notice anything strange?’

‘You will excuse my plain speaking,’ replied the teacher, ‘but the fact is that the pupils do not like to see you coming into the school. You depress them very much.’

‘I can see that I do,’ put in the priest, ‘and I wish to know the reason. Is it my manner?’

‘No; your manner is all that anyone could wish. Now, it happens to be Friday, and thus it is that the visit of yours to the school has done much to lessen the value of all my work to-day. It is like this : you always pay a weekly visit to the school for the purpose of teaching Catechism. The pupils knew that you would be in to-day, because you had not been

in during the week, that is they knew you would take ten minutes or a quarter-hour off their time for play.'

'I see, and I thank you. I will not make the mistake again.'

'When we were boys, we liked thirty minutes in the half-hour for play,' added the teacher.

The priest, thankful to the experienced teacher for the information received, put himself right with the boys, and had no further cause to complain of the conduct of the class.

Case 5.—One of the most frequent mistakes made by an unskilled teacher or examiner is that of over-estimating the mental strength of childhood, and of assuming much too readily that what is quite plain to the teacher is consequently equally clear to the young minds under instruction. Such a serious error could not be made by any teacher who understands children.

'How many precepts of the Church are there?' asked a priest—saintly, scholarly, and gentlemanly—but with little or no knowledge of the limitations of the young.

'Six, Father.'

'Do you modify your answer?' continued the priest, not for a moment thinking that the word 'modify' was entirely strange to the bright, talkative, city boy, who, taking the hint from the manner of the examiner, added:

'I do, Father.'

'Of course you do. Well, what modification do you use?'

'One God in three Divine Persons, Father,' continued the boy, thinking that a guess was better than silence.

The whole class followed similarly, and was blamed for lack of knowledge, when the fault was really due to the want of skill on the part of the examiner.

From these cases and many others, which could be readily cited, it will be seen that children fail to answer questions, not alone through the want of knowledge, but through many causes, such as: natural dullness, the outcome of heredity; artificial dullness, the result of some external circumstances, as gross inefficiency on the part of the teacher; physical weariness on the part of the child, the result of the want of sufficient nourishing food, lack of sleep, too long a walk to school, hours of work unduly

prolonged, and the like; mental fatigue, which always follows the physical weariness, and is also produced by the mind being compelled to learn that of no interest to it.

‘History must be talked about, and in an interesting manner, and the children must do a fair share of the talking,’ says Father Healy, in his excellent school *Bible History*. ‘This will help to make them bright and intelligent, and to take an interest in the subject; and every teacher knows that there is not much difficulty in teaching a child a subject which interests him. But as a distinguished ecclesiastic (Most Rev. Dr. O’Dea, Bishop of Galway) has said: ‘a lifeless, soulless putting of questions and hearing of answers, is not teaching—but torture.’

Cold, or overheated, or ill-ventilated school-rooms produce both mental and physical fatigue, and, as a result, lower the power to give expression to the mind’s contents. A question of superior interest to the child, such as the loss of a valued penknife, or the certainty of being away from school on the following day, is certain to affect mental activity.

From all this, it will naturally follow that both priests and teachers, to be successful, must understand much of the minds with which they deal, otherwise they will be but wasting time, if not indeed producing artificial dullness in those they are trying to instruct. Children should not be treated as parrots, that is, in the teaching of the Catechism an effort ought to be made to develop the intelligence.

There is a great deal of the Catechism of the Most Rev. Dr. Butler altogether unsuitable to the proper teaching of the children attending the Irish National Schools, and in this way a vast amount of valuable time is lost. There is no need to speak of the excellent nature of the work as a Catechism of Christian Doctrine, and at almost every turn it shows evidence of the precision and logical mind of Dr. Butler. But the Catechism is not expressed in language understood by the children, and frequently fails to be understood by adults. An example will make this view clear.

One day the writer of this essay was examining a fairly good class in the knowledge of this Catechism, when

an intelligent farmer, on the way to a neighbouring town, called. The teacher took the opportunity of speaking in the language of the Catechism as he was then using:—

‘After what manner do you go to town?’

There was no reply.

‘What are the ends for which you go there?’

The farmer, evidently puzzled, remained silent.

‘What obligations do you contract by going?’

There was no answer; and yet children are treated to the following questions:—

‘After what manner should we pray?’

‘What are the ends for which Mass is said?’

‘What obligations do we contract by Confirmation?’

Such forms and phraseology of questions are altogether unsuited to the struggling and weak mentality of childhood, and for all the substantial good produced, might as well be expressed in a foreign tongue.

It is very interesting to look at the Catechism of Canon Schmiddy, printed in Irish, under the direction of Most Rev. Dr. Keane, Bishop of Cloyne, and in use about sixty years ago. It is well to set down corresponding questions and answers from both Catechisms:—

‘Where is God?’

‘God is everywhere; but is said principally to be in heaven, where he manifests himself to the blessed.’

‘Ca bhfuil Dia?’—(Where is God?)

‘Tá sé ins gach uile áit.’ (He is in every place.)

‘Does God know all things?’

‘Yes; all things are naked and open to his eyes, even our most secret thoughts and actions.’

‘bhfuil fios gach nídh ag Dia?’—(Does God know all things?).

‘Tá.’—(He does.)

‘Can God do all things?’

‘Yes; with God all things are possible, and nothing can be difficult to him.’

‘An féidir le Dia gach uile nídh do dhéanamh?’—(Can God do all things?)

‘Is féidir.’—(He can.)

The form of answer in the Irish Catechism is far more

suitable to the minds of children, and it is thus far more impressive and lasting than that given in the Catechism of Bishop Butler, whose logical finish is almost invariably beyond the strength of young minds.

It is useful to note the clearness of the following specimen :—

- ‘ Cad é an lá a rugadh Iosa Críosa ?
- ‘ Lá Nodlag.’
- ‘ An fada a mhair sé ar an dtallamh so ? ’
- ‘ Timpal trí mbliain ndéag ar fhichid.’
- ‘ Conus a chríochnuig sé a bheatha ? ’
- ‘ Fuair sé bás tarnálta ar chrois.’
- ‘ Cad é an lá a fuair Críosa bás ?
- ‘ Aoine an Cheasda.’
- ‘ Cá bhfuair sé bás ? ’
- ‘ Ar chnuc Chalbheri.’
- ‘ Ca ndeachaidh anam Chríosa tar eis a bháis ? ’
- ‘ Chuaid sé síos go h-ifrion.’

All skilled teachers know that the minds of children must be reached through language intelligible to such minds, but unskilled teachers are very frequently wholly unacquainted with this simple and necessary knowledge. The skilled teacher works by means of contact, that is he endeavours to get his mind in contact with those of his pupils and, as it were, to strengthen the one by the company of the other. Before the mind of the teacher produces mental activity in the minds of the children, mental digestion must have arisen, that is, the food he has given must be operated on, or, as educationalists say, it must be treated apperceptively. This is a point of great importance, for mental digestion is quite as necessary as physical digestion. Most people can grasp the fact of the harm almost certain to follow the partaking of large quantities of food by a body deficient in the power of digestion. Similarly with mental life, which is much injured by the production of artificial dullness, when great quantities of matter, not clearly intelligible to the children, are flung indiscriminately at it. It must be distinctly understood, then, that an unskilled teacher might use

English to an English-speaking child and not be understood. In the light of this leading educational principle it will be well to note the wording of many questions in the Catechism at present much in use :—

‘What is the reason that this darkness of the understanding, this weakness of the will, and this propensity to evil still remain, together with many other temporal punishments, even after original sin is forgiven?’

‘To serve as an occasion of merit to us; by resisting our corrupt inclinations, and by bearing patiently the sufferings of this life.’

‘Is a person in the way of salvation who believes in the true Church, and says that in his heart he is attached to it, but who, through pride, human respect, or worldly motives, does not make open profession of it, or does not comply with its essential duties?’

‘No; St. Paul says: “With the heart we believe into justice; but with the mouth confession is made into salvation.”’

‘Is it also forbidden to give credit to dreams, to fortune-telling, and the like superstitious practices?’

‘Yes; and all incantations, charms, and spells, all superstitious observances of omens and accidents, and such nonsensical remarks are also very sinful.’

‘What do you think of theatrical representations, and of other amusements, particularly at wakes, in which religion, its ministers and sacred ceremonies, are ridiculed?’

‘They are impious and highly criminal, and strictly forbidden by the first commandment.’

‘Is it sinful to resist or combine against the established authorities, or to speak with contempt or disrespect of those who rule over us?’

‘Yes. St. Paul says: “Let every soul be subject to the higher powers; he that resisteth the power resisteth the ordinance of God; and they that resist purchase to themselves damnation.”’

‘What else may be deemed immediate occasions of immodest thoughts and desires?’

‘Lascivious looks and touches, idleness, bad company, all excess in eating and drinking, and whatever tends to inflame the passions.’

‘How does the Bishop give Confirmation?’

‘By the imposition of hands and by prayer, that is, he holds out his hands and prays at the same time that the Holy Ghost may descend upon those who are to be confirmed; and then he makes the sign of the cross on their foreheads with chrism.’

‘Will the penance enjoined in confession always satisfy for our sins?’

‘No; but whatever else is wanting may be supplied by indulgences, and by our own penitential endeavours.’

‘Is an indulgence a pardon for sins to come, or a licence to commit sin?’

‘No; nor can it remit past sins; for sin must be remitted by penance as to the guilt of it, and as to the eternal punishment due to mortal sin, before an indulgence can be gained.’

Such questions as these, with their answers, contain important truths, but these truths are hidden in language impossible of digestion by the weak mind of the ordinary child. Theory and practice of education make this clear, for educationists agree in saying that mental activity is never called into play when the child is addressed in words he does not understand; and practice corroborates this theory, as many teachers know that such questions as those just quoted never become part of the mental life of the child, which is another way of saying that the time spent in memorizing them, and in questioning on the subject matter, is quite wasted.

Now, there are many ways of adding materially to the efficiency of the work expended by priests and teachers in giving to the children of Ireland that sound knowledge of the Catechism, never more needed than at present. Mere memory work is quite useless unless followed by intelligent mental activity, which is wholly impossible when the presentation of the lessons is at fault, such as in the instance where the language is very unsuitable.

(1) There are many priests in Ireland who can easily do for the Catechism what Father Healy has done for the Bible History, that is put the food in a form capable of being digested by the minds of children. The plan and content of Bishop Butler's Catechism could be retained.

(2) The content of Bishop Butler's Catechism could be reduced to half, thereby getting rid of a great deal of unnecessary work, the time thus spared being given partly to the Irish Catechism, as edited by Canon O'Leary, and mentioned already in this essay. Now, it is well to be quite clear as to the significance of learning the Catechism first in the language used in the everyday life of the district, which in most cases is English, and then in the second tongue, which will usually be Irish. The sound knowledge of the Christian Doctrine must be of first importance, and must precede that of the knowledge of the Irish language. In this case, however, religion and the native language will be helpful mutually, that is, it

is sound educational sense to say that the Catechism taught, or learned, in both English and Irish, will produce that mental activity now frequently missing. Religion will be strengthened undoubtedly, and the Irish language will have got a new help, greater than any received during the past half century.

(3) Some of the more important questions and answers of the Catechism of Bishop Butler could be retained, though a fixed form of question is not to be too strongly advocated, and attractive paragraphs written on the remaining portions of the Catechism.

It will be seen that the unskilled teacher works mostly along the lines of association, and but rarely stirs up the minds of his pupils, who answer because the question is firmly associated with a fixed form of words. Such teaching penetrates no farther than the lips, and is quite useless, even though the school secures an excellent mark for answers given correctly. The skilled teacher aims to reach the minds, and to arouse mental digestion, without which all teaching is in vain. The skilled teacher (1) must have a strong ideal; (2) must have at least a fair knowledge of the mental life of the class; and (3) must have the essential patience and tact.

There is no great effort required to learn much about children, but most intending teachers make the mistake, or are forced to make it, of wasting time in reading books on psychology and methods of teaching. The writer of this essay recommends those intending to become teachers, such as priests, charged with the important duty of teaching the Catechism, to read only half a page or so, but to study this with care. Read 'The Parable of the Talents,' the greatest educational truth uttered by the greatest Educationist for all time. He who got five talents gained another five, and he who got two gained two. *Both got exactly the same reward.* It may be taken that this means that the child of inferior talents is expected to develop himself according to the given opportunities, to do his best according to the inherent gift. He is in no way

handicapped, and can win a prize quite equal to the best won by his seemingly more favoured brother. It is wonderful to note that Our Lord, the Master Teacher, grades according to inherent ability and industry.

Having acquired some skill in teaching, it will be necessary for priest and teacher to remember that the Catechism is taught, not to pass an examination, or to please the Bishop at his visitation. No; the Catechism is taught to strengthen the traditional faith of Ireland. The knowledge given must last through life, and become stronger as the years become heavy. Let us take then a particular example, say the teaching of the portion of the Catechism dealing with actual sin. Most children have got a parrot-like knowledge of the various definitions, which will be no prevention whatever to the commission of sin, and will be very soon forgotten, once school is over. What is the good of having a mere transient, skin-deep, knowledge about the kinds of sin and the punishments due thereto? What is sin? How many kinds of sin are there? What is mortal sin? What is venial sin? What is meant by a transgression? by a grievous transgression? What is the Law of God? How does mortal sin affect the soul? How does it kill the soul? What is the supernatural life of the soul? These are similar to the dozens of questions which are answered without any real mental activity. Now, let us turn and endeavour to stir the minds of the children:—

‘Well, Jack, is mortal sin a great insult to God?’

‘It is, Father.’

‘How do you know?’

‘The Catechism says so, Father.’

‘Well, there is some sense in your answer, but I want a much better proof. You say that sin is a great insult to God, and I ask you to prove your words. Now, just think it out for a minute.’

As a general rule neither Jack nor any child in the class will answer the question, and a new line must be taken to get at the knowledge locked away in their minds.

“Well, Jack, we must come at it in another way. Suppose I entered the school to-day and saw the master beating a boy very severely,

would I be right in thinking that the boy had done something very wrong ?’

‘ You would, Father.’

‘ Why ?’

‘ Because the master would not give a big beating unless the boy deserved it.’

‘ Well done, Jack ; you have given me half the answer. What is the other half ?’

This query will also be missed, and a new line must be taken.

‘ Of course, I know the master, and that he is fair, Jack, but suppose that I had never seen him ?’

‘ You wouldn’t know then, Father.’

‘ Why ?’

‘ You know the master is just, and will give fair play.’

‘ That’s it, Jack ; I knew the boy was bad because I knew the master was just and I saw him beating the boy severely. And now, Jack, did God ever punish us very severely ?’

‘ He punished our First Parents, Father.’

‘ Why ?’

‘ Because they committed sin.’

‘ What punishment will we get if we die in mortal sin ?’

‘ We will go to hell for eternity.’

‘ And now, Jack, how do you know that mortal sin is a great insult to God ?’

‘ Sin must be a great insult to Him because He gives such an awful punishment, and He is perfectly just.’

‘ But does God see us, Jack, when we commit sin ?’

‘ He does, Father.’

‘ How do you know ?’

‘ Because the Catechism says so, Father.’

‘ A good answer, but I want better.’

There will be no better answer forthcoming and help must be given.

‘ Did you ever hear a story about God watching a man ? You did not ! Then I must tell you one which is quite true. It is in the Bible.’

Tell in a simple and interesting way the story of Job, and try to develop the idea of the watchful care of God being centred on Jack, as if he alone were in the world. Drive this well home. At another lesson, revise carefully, and add to the impression by reading extracts from the life of Our Lord where He speaks of His Father showing

individual care. The priest or teacher who is successful in getting the pupils to digest these two facts of (1) sin being a very great insult to God, and of (2) His watchful care being always with each one, night and day, so that it is impossible for anyone to be alone, is thereby, far more successful than if he had succeeded in getting his pupils to memorise a whole book, parrot-like. It is such mental action that will be helpful in after life, when the pupils are scattered the world over, on the trackless ocean, the lonely prairie, the desolate veldt, the barren wastes, or the unhealthy slum. It is such mental action that will make the former pupil turn back the years of life, and thank God for giving him the priceless blessing of a skilled teacher.

P. IVERS RIGNEY.

SKETCHES IN INDIAN LIFE AND RELIGIONS—IX

HINDUISM, ANCIENT AND MODERN

BY REV. THOMAS F. MACNAMARA, S.S.J.

SOME HILL TRIBES OF SOUTHERN INDIA

THE KOTAS

PICTURESQUELY situated at the head of a deep pass stands Kotagheri, the smallest of the Nilgiri hill stations, 6,500 feet above sea level. On the slopes of this pass nestle many tea and coffee plantations—the latter a pretty sight, comparable to a fall of snow when in full bloom, or reminiscent of Christmas at home, when seven months later, the glorious red berries, the planter's hope, appear in their orderly rows, shaded by silver oaks. But it is sad to have to add that when the 'jessamine-scented bloom' is in its perfection, then is the deadly malaria at its worst in these parts.

The Kotas (*ko*, mountain) are a hardy tribe, who claim to come next to the Todas in length of residence of the Nilgiris. They own seven villages, and number about 1,200. In stature they are about five feet two, and their women about four feet ten inches. They are coffee-colour. They do not observe caste. While they cultivate enough land for their own immediate use, they are really craftsmen—carpenters, smiths, rope-makers, and musicians—callings as necessary for the agricultural Badagas as for the pastoral Todas, their neighbours. Their services are rewarded by the Todas with doles of meat and ghi, and by the Badagas in grain; but hard cash must be paid for music played by them on occasion of marriage or funeral. The buffaloes sacrificed at funerals of Todas and Badagas are the perquisites of the Kotas.

They build their huts of mud, brick, or stone, always with a front verandah, where, on raised platforms, they love to smoke, discuss tribal affairs, and, not unfrequently, sleep off the ill-effects of opium and arrack drinking, their besetting vice. By other hill tribes the Kotas are classed as unclean, and are not allowed to enter the mands or temples of the Todas and Badagas. And no wonder: for the Kotas are carrion-eaters, to whom the putrid carcase of a diseased buffalo is their god's send—Kamataraya (Siva) having commanded them so to feed.

They have now to pay rent and taxes, unlike the Todas, under the ordinary Indian Ryatwari tenure. Kotas do not practise polyandry, but polygamy is fairly common among them. The marriage custom of the Kotas reminds one of what used to be known in Wales as 'bundling.' A Kota wife can be divorced for bad cooking, or careless cultivation of the holding. Infantile mortality is very high among them.

The Kota priesthood consists of a Divadis (high priest), whose office is hereditary, and two pujaris, assistants, whom he appoints when under 'inspiration' in the temple. They may marry, but must not drink milk. A Kota temple is a very simple edifice—a thatched roof supported on stone pillars or poles, in which no idols are kept, and which all may visit once a month at full moon.

They maintain that their god, Siva, when perspiring, profusely wiped three drops from his troubled brows, out of which he created the Todas, Karumbas, and themselves. The god graciously permitted the Todas to live principally on milk, the Karumbas on the flesh of buffalo calves—when obtainable—and themselves he left free to eat what they could get in any condition. The Kotas' annual feast lasts twelve days, and is said to be a continuous scene of licentiousness and debauchery.

Their obsequies are, on the whole, but a feeble imitation of those of the Todas, with the added degradation of much drunkenness. When there is a widow, she is dragged to the

corpse, and made to lie beside it while her jewellery is being removed, 'the heavy brass bangle being hammered off the wrist, supported on a wooden roller, by the repeated blows with a mallet and chisel delivered by the village blacksmith.'

THE KARUMBAS.

The Karumbas are considered to be the remainder—about 1,000—of a once powerful race who inhabited Southern India, and were at the zenith of their power in the seventh century of our era. A century later, and they had been overcome and dispersed by the Chola Kings. Many fled to the jungles, forests and fastnesses of the Nilgiri hills, where their descendants, decimated and degraded, are now found in a wild, uncivilized state. Elsewhere some Karumbas are comparatively civilized.

On the Nilgiris there are two clans, the Betta and the Jenu Karumbas. The former live in hamlets called Mottas, consisting of four or five mud and wattle huts with thatched roofs. They eat flesh and forest produce—honey, roots berries, etc. The men allow their hair to grow long, which they coil on the top of the head in disorderly and filthy fashion. In default of Gillet blades, they use pieces of broken glass when shaving. A scanty loin cloth now forms full dress, but the women tie their clothes under the arm pits and allow them to drop to the knees. They worship forest deities and are adepts in charms, exorcisms, incantations and animal sacrifices.

The Jenu Karumbas live in small detached huts or in caves, far from the madding crowd, in the depths of the forests, surrounded by wild animals and game of all sorts : tigers, cheetas, leopards, bears, bison, elephants, sambhur, stag, deer, and a large variety of feathered life. Bamboo seeds, honey and wild roots, are their stand-by. They are still in the bow-and-arrow stage, and never own stock or land. In religion they are Saivites—of sorts.

Breeks records all that is known of their worship:—

Some profess to worship Siva. They worship also a rough stone under the name of Hiriadeva, setting it up either in a cave or in a circle of stones. . . . To this they make puja and offer cooked rice. They also profess to sacrifice to this god a goat, which they kill at their own hut.

Adult males and females who are unmarried sleep in separate huts, under the eye of the headmen. The Nilgiri Karumbas practise polyandry. It is said they have no real marriage rites.

The corpses of children are buried; those of adults burned. They use the old cromlechs, scattered over the hills, as dead-houses, and place therein a bone or a long river-worn stone.

Karumbas are expert game trackers, and are employed by the Forest Department as forest guards, game and fire watchers. Some of them have been known to carry smouldering cow dung in their waist cloths long distances into the forest, there feed it with dried leaves, etc., fan it into flame, and return to their huts till called to 'lend a hand' in putting out or stemming the fire they had caused, in order to 'make work.' Doubtless, it is safer sometimes to employ the poacher as gamekeeper than to watch him. Occasionally, these jungle wallahs work on tea and coffee estates, though they are generally reluctant to 'sign on' or bind themselves, for they have the habit of suddenly disappearing into the jungle for some feast or funeral or tribal orgy.

They will return in time with a grin, but vouchsafe no explanation, which is as well. A planter friend having told the few in his employ that a white Swami (priest) had arrived, they were eager to see him; but when, accompanied by the friend, who spoke their lingo, the writer approached their temporary huts on the borders of the plantation, the women and children bolted like rabbits to their burrows, and two of the men, but recently arrived, slunk off, and could not be induced to come back.

These Karumbas are fearless in the pursuit of rock honey—now, like all jungle produce, a Government monopoly—and

are employed in this dangerous and difficult work, and in collecting cardamoms, wax, ginger, turmic, deer horns, elephant tusks and rattans. Good tusks should now fetch £1 a lb.; but, needless to say, the Karumba does not get *quite* so much for his find.

Cliff bees are much larger and far fiercer than the common garden variety met with in these islands. Generally, they build in clefts and high, almost inaccessible cliffs and in very tall trees. But a Karumba can climb anything, and is invulnerable to stings, which he receives in plenty. Formic acid affects him not at all. Fixing a chain made of bamboos or a long and strong creeper to a stake or tree at the top of the cliff or precipice, the Karumba will descend his fragile single pole ladder, dangling dangerously over the abyss, rob the hive and return by the way he came. High trees they climb (like the Dyaks of Borneo) by means of single bamboos tied on end, and secured to the tree by bamboo pegs driven in as they ascend. Watching one thus ascend, and hearing the creak of the fragile-looking ladder, tends to make the sightseer giddy. If only arboreal monkeys could be trained to fetch down the honey! But the canny creatures would never face the music—in bee shark.

After a few meetings, a Karumba was induced to accompany the writer on *shikar* (shooting expedition). His sight and hearing were very remarkable, his movements as silent and stealthy as those of the beasts of the forest. Adaptation, camouflage, is native to a Karumba as to the wild animals amid which he dwells. And badly does he need its aid, for in any one year close on 4,000 human beings suffer death from the attacks of wild animals in the jungles and forests of India, and close on 800 from tigers alone. Poisonous snakes, of which there are many varieties, account for many thousands more. A Karumba will scare away a tusker with a torch; and they have been known to capture wild elephants by the ingenious device of growing pumpkins and vegetable marrows over pits! Benighted in the jungle, a Karumba and his spouse once sought safety on a high rock, but a tiger on his rounds

took the sleeping woman, whose shrieks roused her sleeping mate. Following by sound alone, he came upon the beast devouring the now mangled body, rushed upon it with his spear, and pierced it through the heart, after a short but desperate fight. Bronze medals, though deserved, are not awarded 'for valour' of such sort.

While the majority of Karumbas never leave the jungles, the baneful effects of arrack drinking is noticeable among those more 'civilized' who venture into the shandys or native bazaars on the hills. A Karumba's *pièce de résistance* is a porcupine. He will travel long distances to dig out and secure one for his table. He has studied the habitat of this and other animals and can, on occasion, imitate them to perfection. The story is told of an old Karumba's unearthly yells in the early hours of a moon-lit morning which startled a household on these hills. As ripening tomatoes had been stolen by a porcupine, whose spoor was plainly to be seen in the well-weeded garden, a trap was set, but instead of a porcupine a bony old Karumba was seen wriggling and yelling, with the trap firmly clamped on his ankle. Marks of a porcupine, and no other, were clearly visible, except where the Karumba pranced about. Released, he was made to explain, which he did by taking from his waist band the foot of a porcupine. After each hop, he carefully obliterated his own footprint, and implanted those of the suspected, but innocent, spiney rodent.

Harkness wrote in 1832 :—

The violent antipathy existing between the Burghers and the Karumbas, and the dread and horror the former entertain of the preternatural powers of the latter, are, perhaps, not easily accounted for; but neither sickness, death, nor misfortune of any kind ever visit the former, without the latter having the credit of producing it.¹

No Badaga would attempt to plough his land or put sickle to the ripe corn till a Karumba had first blessed the undertaking, and turned the first furrow or reaped the first sheaf. Both Todas and Badagas have recourse to the Karumbas

¹ *Aboriginal Race of the Nilgherry Hills.*

when the Evil Eye has lighted on any of their number or a *pisach* (devil) takes possession of any of their members. By repeated *mantrams* the poor Karumba tries to satisfy his employers ; but should he fail, the lot of the exorcist is not to be envied. Should death follow his ministrations, or murrain break out among the cattle, or a suspicion be roused that he has bewitched man or beast, the wrath of a family, a village, or even a whole tribe, may be hurled against him and his. Revenge in such cases is not satisfied with an eye for an eye or a tooth for a tooth. It is on record that in 1835, no less than fifty-eight unfortunate Karumbas were brutally done to death, and their bodies burned near Kotagheri to cover up all traces. Again, in 1875, a massacre took place. Its discovery was due to the fortunate escape of a young Karumba woman who, supposed to be dead, was thrown on the fire after a heap of other bodies. The heat reviving her, she crawled away, and watched from a thicket the burning of her beloved ones. Her statement led to the discovery that this was but one of a series of contemplated massacres of Karumbas. The Badaga ringleader was at large for three years, though a reward of Rs. 1,000 (£66 10s. 0d.) was offered for his apprehension. He, with others, paid the death penalty in their respective villages. In 1900, a whole family of Karumbas were murdered because its head, a medicine man, was believed to have bewitched a Badaga woman who died. Some Todas were implicated, but owing to the hostile feeling of the country-side, detection became very difficult, and the accused had to be dismissed. The Manual of the Nilgiris states as a curious fact that neither Kota, Irula nor Badaga will slay a Karumba until a Toda has struck the first blow ; but as soon as his sanctity has been violated by a blow, they will hasten to complete the murderous work.

Badagas pay an annual tax of four annas (fourpence) to the Karumbas, and when one of the latter arrives in a Badaga village, a collection is hastily made to induce him to move on.

THE BADAGAS

As the Todas are the pastoral and the Kotas the artisan tribes of the Nilgiris, so the agricultural element on these hills is represented by the Badagas.—*Thurston*.

The Badagas are by far the most numerous, prosperous, and progressive of the Nilgiri hill tribes. They numbered at the Census of 1901, 34,178, against 1,267 Kotas, and only 807 Todas. Though primarily cultivators, various trades are followed by their members at the present time, such as building, carpentry, painting, while many of them find profitable work at the Government Cordite Factory at Avanghat, near Conoor, and on tea and coffee estates. Some of the more prosperous Badagas have coffee plantations of their own.

The name Badaga, or Vadugan, means Northerner, and the Badagas are believed to be descendants of colonists from Mysore, who migrated to the Nilgiris owing to famine and local oppression three centuries ago. The *Gazetteer* of the Nilgiris notes :—

When this flitting took place, there is little to show. It must have occurred after the founding of the Lingyat creed in the latter half of the twelfth century, as many Badagas are Lingyats by faith and 1602, when Catholic priests from the West Coast found them settled on the south of the plateau, and observing much the same relations with the Todas as subsist to this day.

In *The World's Peoples* (1908) Keane writes of the Dravidian aborigines in these words :—

All stand on the very lowest rung of the social ladder . . . often, betraying marked negroid characters, as if they were originally Negroes or Negritos, later assimilated in some respects to their Dravidian conquerors. . . . Such are the Kotas, Irulas, Badagas, and Karumbas.

But Thurston, who has studied these tribes, as Keane has not, points out that the Badagas and Kotas cannot be classed as 'wild tribes'; that they have no trace of negroid characters and no affinity with the Karumbas and Irulas of the Nilgiri slopes.¹

The Karumbas, strange to say, are their nominal legatees,

¹ *Castes and Tribes of Southern India*, vol. i.

and should a Badaga die without male issue, his property passes to the nearest Karumba community.

The Badagas observe caste in some eighteen divisions, the two highest acting as priests to the others. These two castes are strict vegetarians. The Headman decides tribal matters. When a delinquent wishes to return to his caste, his tongue is burned with a red hot sandal-wood stick, and sacred ashes are sprinkled over him in the temple. A long white cloth, loosely wrapped round the body, and a turban, constitute a Badaga man's dress. Females wear two cloths, one tied tightly under the arm pits and reaching to the knees, and on the head a cloth tied like a cap—bangles and jewellery on occasion of feasts in profusion. This tribe is the lightest in colour of the hill tribes. Being the last comers, they pay a yearly tribute in produce to the Todas.

Like the natives of the plains, they live a communal life in hamlets and villages, which dot the hill sides in the midst of their well-cultivated terraced fields and gardens. Only a Chinese gardener can compete with a Badaga.

Often have we watched them, busy as ants, tilling their land. They are always willing to improve on their own methods of cultivation, and ready to adopt what is useful in the suggestions and implements proposed by the Nilgiri Horticultural Society. This in itself is remarkable in an otherwise very conservative tribe. Open-air life, a genial climate, and coarse wholesome food, make the Badagas a hard-working tribe. Round Conoor the women do most of the field work, the men finding 'ready-cash work' on roads and estates more to their liking. Unfortunately, of late years many have become addicted to drink. Beer, for the manufacture of which there are now breweries on the hills, is the Badagas' favourite beverage. This growing habit, debasing in its effects on native tribes, is much to be regretted; but Government, which seeks to help them in other respects, does little or nothing to protect them against this baneful adjunct of 'civilization.'

Like the Hindus of the plains the Badagas are polytheists

and demonolators. They worship in a variety of wayside shrines, and in larger temples at the foot of the hills. Fire-walking is an important item at some of their sacred gatherings. They strongly repudiate the suggestion that they prepare their feet for the ordeal in any way; but it is known that a decoction of the *aloe indica* is sometimes used. When bruised, the fleshy parts of the leaves yields a juice like castor oil. This, rubbed on the hands and feet, renders them immune from burning—for a short time.

Adult marriage is the general rule. Polygamy is permitted when it can be afforded, for an extra woman on the land is worth two men on a plantation. The remarriage of widows is common in this tribe. Marital morality is very low among the Badagas. Bride-stealing is common in many castes in Southern India and a fruitful source of disputes. When a young Badaga cannot obtain the lady of his choice, he gathers his friends and some Todas and proceeds to her village and forcibly carries her off. Such marriages are held to be valid. If, after a few months, the bride is dissatisfied, she may return to her parents' house till another suitor turns up, when husband number two pays to husband number one 'substantial damages.' At the marriage feast each guest drops into a brass vessel four annas or a rupee. The amount thus collected goes to pay expenses, an improvement, perhaps, on the white man's custom of giving useless presents. In the evening the *thale* is tied round the bride's neck, but next morning it is removed and thrown on the roof of the house or hut, and thus the marriage ceremonies are completed.

When a child is eight days old the Headman chooses a lucky day, not a Monday or a Wednesday, for the 'christening.' Boiled grain dipped in milk is put into the child's mouth, and a name given it, and the ceremony ends with a big spread for all the guests. All children at seven months' old have their heads closely shaved.

Gover, Clayton, Thurston and other observers, old and new, write interesting descriptions, with variants, of the death ceremonies, and the touching after-death confession

of the Badagas. Here we can do no more than give a short composite account.

When death draws nigh, a gold coin, dipped in ghi, is given a dying man to swallow. If, however, he is unable, the coin is tied round his arm. If the coin slip down easily, it is well : he will need both gold and ghi for his long journey. It is said that no one who has swallowed the *fanam* has ever been known to live. His time has come, and go he must. If the coin is found in the mouth after death, it is a very bad omen, and the poor Karumbas are made to suffer for it. The heaven of the Badagas is supposed to be among the Kunda range of hills over against 'Ooty.'

The corpse is kept in the hut till the funeral car is completed, and all the relatives and friends have been called in. On the appointed day the body is taken on a charpoy or native cane-cot to an open space, and a buffalo led three times round it. The right hand of the corpse is passed three times over the horns of the animal ; milk is drawn and poured into the mouth of the deceased. The funeral car is composed of five or eleven tiers, decorated with cloths and streamers—a very elaborate and striking affair. The poor are allowed to substitute a cot and an umbrella.

The body, dressed in a new cloth, coat and turban, is deposited in the lowest tier. Two silver coins are stuck on the forehead, and beneath the body are placed a crowbar, and baskets containing parched paddy, jaggery, samai flour, etc. The women now rush to the cot, and keep up a weird wailing for hours, one lot relieving another. The Badaga men then come forward, and salute the corpse by touching the head ; women may only touch the feet. Then a dance takes place round the bier to the strains of Kota music. Special gaudy petticoats are worn by the men for the occasion. If the corpse is that of an old man his feet are washed, and the water drunk by the men of the village, and their sins are thus washed away. In the afternoon the car is brought to the burning ground, and hacked to pieces to form the pyre. The widow now takes off her 'nose screw,' some wire from her earrings, and with a lock

of her hair ties them in the cloth of her dead husband. This denotes the severance of the marriage tie.

Then follows the after-death confession, a most touching ceremony, which Thurston says never failed to impress the hill tribes when reproduced in his phonograph. 'By a conventional mode of expression,' writes Gover, 'the sum total of sins a Bagada may have committed is said to be thirteen hundred.' Admitting the deceased had committed them all, the reciter cries: 'Stay not his flight to God's pure feet,' and the whole assembly chant the refrain, 'Stay not his flight.' The reciter now enters on a long catalogue of misdeeds: estranging brothers, shifting the boundary line, telling lies, going to sleep after an eclipse, using a calf set free at a funeral, showing the wrong path to strangers, killing snakes or cows, ingratitude to the priest—after all of which the audience make answer, 'It is a sin.' At the end of the confession comes the hopeful prayer: 'Though there be thirteen hundred such sins, may they go with the calf set free to-day.' Then follow a series of touching aspirations: 'May his sins be forgiven, may the door of heaven be opened to him,' etc. Amid solemn silence the calf is now let loose, and like the Jewish scapegoat it may never be used for any kind of work. The corpse is next placed on the pyre, which is lighted by the eldest son. Next day the ashes are searched for the little gold coin with which the Badagas are very reluctant to part.

Despite much missionary labour, Christianity has not so far been blessed by an abundant harvest of souls among the aborigines of the Nilgiri hills. Some years ago a few families of Karumbas, converted by the Fathers of the Coimbatore mission, all went back. We do not know whether there are any Catholic Karumbas or Kotas at present. The *Madras Catholic Directory* for 1928 does not specify caste or tribe in mission returns. The prospect among the Badagas is much better. Badaga converts strive, much against the grain, to refrain from such of their customs as are tabooed by their Catholic swami.

THOMAS F. MACNAMARA, S.S.J.

CHARLES O'CONOR OF BELLANAGAR

BY PATRICK L. O'MADDEN, B.A.

I

DURING the eighteenth century the Catholics of Ireland were ground to the dust by the Penal Code.

The whole power and property of the country had passed into the hands of English adventurers—men of the sourest leaven, who eagerly adopted the most harsh and oppressive measures against those upon whose ruin they rose. For this purpose they enacted that unparalleled code of oppression, which formed the most complete contrivance that ever ingenious bigotry devised. By the laws against popery, the bonds of society, the ties of nature, and all the charities of kindred and friendship were torn asunder. The Catholic had to watch day and night against the legal assaults of his children and his kindred. If all their affections were secure, yet his neighbour had an interest to become an informer against him: the hospitality of his roof may leave him without roof to shelter him; a bill of discovery may in a moment strip him of all.

Among the few eminent Catholic laymen, pioneers of emancipation who endeavoured to alleviate the sufferings of their fellow-Catholics by procuring some relaxation in the Penal Code, Charles O'Conor holds an honoured place. A scion of the princely line of the O'Conors, the family had been reduced to poverty by repeated confiscations. Denis O'Conor, the father of Charles, lived in a cottage, and cultivated a small farm, at Kilmacatrany, in the County Sligo. He married Mary O'Rourke, of the ancient sept of the O'Rourkes of Dromahaire, in the County Leitrim. Their son, Charles, was born in 1710, and passed his childhood and youth amid those humble surroundings. To emphasize the change in the family fortunes his father was

accustomed to say to him: 'Remember, my son, that though I am the son of a gentleman, you are the heir of a ploughman.'

When the family fortunes were at their lowest the great influence and legal acumen of a distinguished Irishman—Terence MacDonogh, of Creevagh, in the County Sligo—were exercised in its behalf, and eventually, Denis O'Connor was restored by the Court of Claims to a small remnant of the ancestral estates—some eight hundred acres in all. He returned to his diminished patrimony at Bellanagar, and the old homestead soon became an asylum for some of the unfortunate victims of the 'glorious revolution.'

Denis O'Connor patronized native music, and would occasionally, for the entertainment of the company, play some of the old Irish airs, but with indifferent success. Needless to say, it was not so with O'Carolan, the last of the Irish bards, who frequented the hospitable home of the O'Conors. When the blind minstrel had taken his accustomed glass, and 'swept the sounding chords along,' he used to say that, 'among the O'Conors the harp seemed to have the old sound in it.'

O'CAROLAN.

So happy was he in some of his compositions [writes Charles O'Connor], that he excited the wonder and obtained the approbation of a great Italian Master. Geminiani, who resided for some years in Dublin, heard of the fame of O'Carolan, and determined to test his abilities. He selected a difficult Italian concerto, and made certain changes in it so that no one but an acute judge could detect them, and forwarded the mutilated version to Elphin.

O'Carolan listened attentively to the violinist who performed the concerto, and at once pronounced the composition beautiful; but to the astonishment of all present, added humorously in Irish: 'Here and there it limps and stumbles.' He was then desired to rectify the errors in musical grammar, which he immediately did, and his corrections were sent to Geminiani. No sooner did the Italian composer see the changes than he pronounced O'Carolan to be endowed with *il genio vero della musica*—true musical genius.

Academic, and indeed all education being denied to Catholics under the Penal Laws, Charles O'Connor pursued his studies under the paternal roof. He received his first

lessons from some itinerant friars who frequented his father's house—a poor friar from the ruined abbey of Creevelea placed a Latin Grammar in his hands at the age of eight years. It was, however, under his maternal uncle, Dr. O'Rourke, Bishop of Killala, that he commenced his studies in real earnest.

That distinguished divine, before his appointment to the ancient see of Killala, had been chaplain to Prince Eugene of Savoy, who, on his elevation to the episcopal dignity, presented him with a pectoral cross and ring, set in diamonds. He also gave him letters of introduction to the queen and some of her ministers. But these marks of royal favour were, as we shall see in the sequel, of little avail in Ireland, then smarting under the 'ferocious Acts of Anne.'

Under the wise direction of this worthy dignitary, Charles O'Conor made solid progress. He was, moreover, possessed of a natural good taste, correct judgment, and excellent capacity. The best English authors were read, and the most noteworthy passages committed to memory. The classics were treated in like manner—the more advanced authors being read, discussed, and translated.

His Irish studies were continued *pari-passu* at the same time, for, as his distinguished tutor observed: 'one must not be allowed to forget anything once learned.' Industrious and eager in the pursuit of knowledge, Charles O'Conor acquired an extensive acquaintance with ancient and modern languages and universal history. His favourite studies were, however, the history and antiquities of his native land. In 1727 he went to Dublin, and under another tutor—the Rev. Mr. Skelton—pursued a course of science and mathematics.

On his marriage, in 1731, to Miss O'Hagan, of Tullyhogue, in the county Tyrone, Charles O'Conor settled down to the life of a country gentleman; and for the following decade of years his domestic affairs engrossed his attention

A new proclamation against the clergy having appeared in 1732, the good Bishop, who had laboured to form Charles

O'Connor's mind and character, was obliged to fly from Bellanagar to the wilds of Connemara until the storm should cease. But the hardship and misery he had to endure soon told on a constitution already enfeebled: he returned to Bellanagar only to die. His grateful pupil and affectionate nephew wrote his epitaph:—

*Sola salus servire Deo
Sunt caetera fraudes.*

II

There is scarcely any evil, it is said, that is not productive of some good. The slanders and misrepresentations of bigotry broke in upon the quiet peace of Mr. O'Connor's home, where he enjoyed great popularity by his condescending manners—sharing in the sports and amusements of his neighbours. The patriotic Lucas had stooped to vulgar abuse of the Catholics; his invectives against popery evinced an unfeeling mind, and cast a shade over his fame and character. Sir Richard Cox, though opposed to Lucas in politics, agreed with him in abuse of the Catholics. An Appeal, written by Cox, in which he asserted that the misfortunes of the papists were due to their slavish tenets, excited Mr. O'Connor's indignation, and induced him to break his first lance with him. In a Counter-Appeal, read and applauded even by the Protestants, he vindicated the conduct and character of his fellow-Catholics and the orthodoxy of their civil tenets. This pamphlet, it may be remarked, obtained for Mr. O'Connor the friendship of Dr. Curry, the first vindicator of Irish Catholics in those dark and evil days.

In many subsequent Appeals also, Mr. O'Connor called attention to the inhumanity and barbarity of the Penal Code, and gave occasion for reflection to the Protestants on the degradation they incurred by the exercise of such tyranny.

These Appeals were, moreover, the means of infusing some life and spirit into the depressed Catholics, and convinced them of the necessity of helping themselves, if they

wished to secure any amelioration of their civil and religious restrictions.

The 'rabble of statutes,' misnamed laws, had, in the course of fifty years, degraded, debased, and impoverished the great majority of the people of Ireland. 'Their religion alone, although proscribed, remained to console them. Owing to its benign influence there was in the midst of their poverty a truly admirable spirit of content and resignation, and there was much and beautiful charity among the poor.' Their social condition was, however, appalling: the peasantry were housed in mud hovels, they were clothed in rags, and for sustenance depended almost exclusively on a miserable exotic—the potato.

To procure some amelioration of their social degradation, and a relaxation of the Penal Laws, none worked with more ardour and perseverance than Charles O'Conor and his esteemed friend—Dr. Curry. Seeing that the Government had a total disregard for the common weal, they planned an Association to manage Catholic affairs. In this arduous undertaking they received no help from the clergy and Catholic gentry: the latter dreaded lest by clanking their chains they might rouse their keeper from his slumbers, and furnish only a new pretext to rivet them more closely; the former counselled patience and resignation. The scheme was, however, put in practice in 1756, and marks the first step in the prolonged struggle for complete emancipation.

By Dr. Curry's exertions a Committee for the management of Catholic affairs was formed in Dublin, but owing to divisions among the Catholics it was confined to the citizens, and being destitute of the support of the gentry, it produced little fruit. Yet, as being the first association formed since the revolution by any portion of Catholics for the redemption of their body, it deserves the notice and gratitude of posterity.

Meanwhile, Mr. O'Conor's pen was not allowed to rust. The calumniators of Ireland, who, since the days of Cambrensis—'their head and standard-bearer'—have never ceased to ply their infamous trade, were busy with invectives against the religious, moral, and civil principles of the Catholics. They raked fabulous histories for charges against

the living and the dead. The whole cycle of legends and old women's tales that had grown around the insurrection of 1641, was revised and enlarged, for the delectation of bigotry, by Harris and Cox. To reduce them to silence, Dr. Curry and Mr. O'Connor produced their *Memoir* on that much-maligned uprising of the outraged clans of Ulster, which created quite a sensation, and disabused all honest minds of the prejudices which enslaved them. This and other tracts, published about the same time, disarmed hostility, and induced many Protestants to advocate a relaxation of the Penal Code.

The question about the expediency of addressing the throne, arising at this time, divided Catholic opinion so far as it was vocal. There were two parties: the addressers and the anti-addressers. The gentry, who dreaded and discountenanced popular agitation; and the clergy, who preached and practised pious resignation, held aloof from both. Mr. O'Connor warmly advocated the proposal, and inspired the commercial classes with courage to address the Crown in mitigation of their disabilities, and to plead their loyalty. A threatened invasion by the French brought the matter to a head: their silence at such a crisis might be construed into disloyalty. At a meeting of the citizens of Dublin, Mr. O'Connor presented a copy of an Address expressive 'of their loyalty, and of their readiness to support the Government against all hostile attempts, and also of their hopes that means might be found to render so numerous a body more useful members of the community than they could be under the restraint of Penal Laws.'

This Address was adopted and presented. After a long delay they received the Lord Lieutenant's reply, assuring them, 'that as long as they conducted themselves with duty and affection they could not fail to receive His Majesty's protection.'

Though this reply was not very reassuring, the Catholic body was not discouraged, and at the beginning of the reign of George III, they made another effort to procure the royal favour, as that monarch had proclaimed himself

'the friend of religious toleration, and the guardian of the civil and religious rights of his subjects.'

Mr. O'Connor drew up another Address expressive of Catholic loyalty; but at the same time declaring their prostrate condition and inability to subsist without the royal favour. The Address was adopted, and transmitted to all parts of the country for signatures: six hundred names were attached to it—a prodigious number, considering the impoverished state of the Catholics in the country. It was graciously received by His Majesty, and inserted in the *London Gazette*.

Here let us glance at the 'prostrate condition' of the people, referred to in the above Address. During the first half of the eighteenth century, while the legislators were multiplying penal statutes as a panacea for the ills of Ireland, the condition of the country was going from bad to worse. Famine and pestilence devastated the land again and again. There were no fewer than five or six of these awful scourges in twenty years: that of 1741 carried off about 400,000 souls.

When a stranger travels through this country and beholds its wide extended and fertile plains, its great herds of cattle and flocks of sheep, and all its natural wealth and conveniences for tillage, trade, and manufactures, he is astonished that such misery and want should be felt by its inhabitants.

Some means more radical than royal addresses was evidently needed to remedy the ills of Ireland at this period.

That a new life and spirit were beginning to animate the depressed Catholics is now apparent by their determination to remonstrate against the cruelty and injustice to which they were subjected. They had drawn up a Remonstrance to the late King, setting forth

the poverty and despair entailed on them by the popery code, in violation of the laws of nature, and of a solemn treaty ratified by the Government and the legislature; complaining of the rigid execution of the Penal Laws, of the iniquitous construction put upon them of late years, of the increase of informers, and of the consequent ruin to the commerce, culture, and improvement of the kingdom; resting their loyalty, not on words or professions, but on their dutiful behaviour under such treatment for half

a century ; and lastly, expressing an humble hope that their deliverance from some part of that burden might be one of the distinguished blessings of His Majesty's reign.

The death of George II intervening, the remonstrance was not presented. On the accession of George III it was ardently advocated by the commercial class, who were encouraged by Lord Taaffe.

Lord Trimbleston, however, the head of the Irish nobility, who despised the commercial class, vigorously opposed the proposal. 'His obstinacy blasted the Remonstrance.' Lord Trimbleston's opposition to the Remonstrance excited general indignation.

That nobleman, of all men alive [writes Mr. O'Connor], is the most unfit to take the lead among any party. What pains has he not taken by ridicule and even by scurrility to dissolve our association ? With what kind of grace did he assume a power over our small fund ? What was his purpose, what the measure of his good sense, in thwarting, controlling and bullying us, in the affair of the Address ? Were he condescending enough to co-operate with us, prudent enough to practise the popular arts, and wise enough to make the most of the materials our poor people could furnish, we would all go more than half way to meet him. A man of his rank would bring us credit, and we would be prudent enough on our side to keep him in good humour ; he now sees his weak conduct ; his humiliation is to me evident, and he would now gladly avail himself of our little associated strength, which you collected, and which he wanted to scatter. Could he abate a little of his dictatorial temper his concurrence would be very useful.

Although some Catholics had declared themselves happy in their chains, Mr. Wyse, of Waterford, and Dr. Curry determined to revive the scheme of a Catholic Association to watch over Catholic interests. At a meeting held in Dublin, Mr. Wyse submitted his plan, which, with a few slight alterations, was adopted. As the great mass of the people still slumbered, Mr. Wyse relied chiefly on a 'knot of high-spirited commercial men, from whom all the lights of freedom and instruction in a State generally emanate in every country, and have always emanated in every country not irretrievably a despotism.'

Mr. O'Connor rendered all the assistance in his power, but was greatly handicapped by his residence in the country. Owing to the vigilance of the Government the business

had to be conducted with great caution, and in the country districts it was found impossible to put the scheme in operation. This was the first onset of that magnificent cause—Catholic Emancipation—which, after an intermittent and prolonged struggle, triumphed at last (in 1829) under the leadership and genius of O'Connell.

It is [writes Mr. Wyse] an impressive moral spectacle to see mind directing a peaceful revolution to peaceful purposes : to trace the progress of intellect discovering by degrees the rights and energies of the country ; to meet at last a nation of high-spirited and united men determining openly, at any cost, to attain them.

The administration of Lord Halifax afforded some relief to the Catholics. His opening speech to the Irish Parliament in 1761 breathed the spirit of mildness and compassion, set forth the loyal and peaceful demeanour of the Catholics and recommended toleration. At the close of the session he reproached the aristocracy with their cruelty to the peasantry. He also gave them sound political advice :—

I doubt not [he said] that by justice and lenity, by your influence as men of property, and by your authority as magistrates, you will reconcile the minds of the people to peace, civility, and order, and perfect that reformation in which the mere execution of the laws without the example of those who execute them must always be defective.

The Catholics were buoyed up in 1764 with expectations of an Act of Parliament to qualify them to lend their money on land securities. A Bill for that purpose was introduced by Mr. Monck Mason.

His object [he said] in introducing the Bill was to prevent the papists from sending their money out of the kingdom ; he stated the circulating medium at between six and seven hundred thousand pounds. Half this sum was the property of the papists, and if sent out of the country would be attended with ruin ; a fall of lands and a total stagnation of trade would be the inevitable consequences. If the papists could get no security at home, necessity as well as interest would compel them to vest their money in foreign securities ?

The Bill was violently opposed by the bigots, among them the redoubtable Sir Richard Cox :—

He thanked God for prolonging his life to that day that he might have an opportunity of transmitting his name to posterity as the supporter of the Protestant interest and the inflexible enemy of popery.

Counsellor Denis declared :—

That the Bill was hatched in a conventicle of Jesuits.

Mr. Le Hunt argued :—

That it broke in upon the Penal Code, the inimitable contrivance of their ancestors to exclude the papists from all power and property, and to reclaim them from idolatry and heathenism !

After a stormy debate the Bill was lost by a large majority.

Mr. O'Connor, who had sized up the bigots, foresaw the result.

People flatter themselves [he wrote] that the laws which forbid security for personal property to papists will in this session be repealed. I say that these papists are mistaken, though a clause may be tacked on to some bill or other to indemnify them. Every security to a popish pedlar or a popish rack-rent farmer (for a papist can be nothing else) is so much deduction from the Protestant interest—and thus Protestant independents will have it, notwithstanding the warning given of their intentions, in a late chronicle. I am neither splenetic or angry when I write all this ; at least I ought not to be so, who am a philosopher, and take all evils, physical and political, as they pass over my head, with the same apathy as I do the humming of the flies which pass around me. And yet, though I am at ease about the public, no man can be more interested as to the welfare of a particular people.

Though Mr. O'Connor kept on never minding, there were times when he almost despaired of obtaining any relief for the Catholics from the ' Club,' which ruled Ireland from College Green. It is said he recommended many of his friends and relations to emigrate to the United States, to seek for freedom and independence in the forests of the Continent rather than obtain either in their native country by dishonourable means, or by a desertion of their religious principles. He thought there was much deception in the boasted love of liberty of the English people, and asserted that they would always enslave wherever they could command. Both the English and the Irish Parliaments were responsible for statutes which, according to Montesquieu, should have been registered in hell and written in blood.

Mr. O'Connor's view of the Whiteboy outrages which

occurred at this time is instructive. In relation to those riots and disturbances he writes :—

I told him [Dr. Warner] that they proceeded from the throwing of that province, like Leinster and Connacht, into pasture enclosures, which excluded the poor, and reduced them to a state of desperation, and into that rage which despair occasions. I assured him that the whole proceed from laws which leave the better sort of people no occupation in the inland counties but pasturage alone ; agriculture being virtually forbidden on account of the shortness of the tenures. That in such a State papists worry papists, the rich excluding the poor to make room for flocks and herds, which find a ready market, and are easily converted into money. I told him exaggerated reports of a popish insurrection were groundless, and that those who compared it to the insurrection of 1641 were not true friends of Ireland.

Those disturbances, due to the avarice of the gentry, the rack-rent system, the incidence of the tithes, which fell heaviest on the poor, and the decline of agriculture, had been magnified by the 'trumpeters of the Ascendency' into a popish plot abetted by French intrigue. The insurrection was put down by the sword and the halter. Father Sheehy, who stood between the people and their oppressors, was sacrificed to local tyranny, and peace was restored.

Of Mr. O'Conor and Dr. Curry it may be affirmed that in their tireless and constant efforts for the regeneration of their country they had but one heart and one soul. They left no void in life : in the quiet retirement of their homes they devoted their fine intellectual gifts and acquirements to illustrating and illuminating Ireland's history and antiquities. They were not open to the charge of being *incuriosi suorum*—only too true of the vast majority of their countrymen.

Mr. O'Conor's handwriting is known to every Irish scholar, and can be traced in the copious notes with which he illustrated many of the Irish documents preserved in our public libraries.

In 1753 he published his *Dissertations on Irish History*, in which he discourses on the origin and antiquity of the ancient Scots. These were followed in 1756 by his *Principles of the Roman Catholics*, and, in 1757, by his pamphlet on the 'Protestant Interest Considered.' Both these tracts,

appearing at the psychological moment, enlightened and helped to form a healthier public opinion; and to recall both parties to reason, so much obscured by prejudice and passion. In 1767 Mr. O'Connor issued his *Observations on the State of Ireland*—a treatise which throws great light on the social conditions of the people during the darkest epoch in the chequered story of Ireland—and, in 1783, his volume on *The Topography of Ancient Ireland*, a fascinating theme, in which we behold Erin crowned with a garland of beautiful legends and endeared to all who love the storied past.

III

Mr. O'Connor, as we have seen, preserved but a small estate; the vast possessions of his family being lost by successive forfeitures during the last two centuries, in consequence of what was then called rebellion, but which, in a more enlightened age, would be called resistance to oppression.

Of the family fortunes he writes pathetically thus:—

My poor father was finally cast ashore on a broken plank. I have succeeded him; and this is the plank from which it is now hoped I may be driven by a Penal Law.

Hugh O'Connor, the youngest brother of Charles, filed a bill of discovery against him in 1756. He had conformed to the Protestant religion, and hoped to get possession of the lands of Bellanagar, as first Protestant discoverer. This was followed by another bill in the Court of Chancery, filed by one Robert Cochraine. A compromise was eventually arrived at for money payments, which piled up additional incumbrances on the estate, and left but little for the maintenance of Mr. O'Connor's family in respectability.

I struggled to keep my hold [he writes] and I am left little to inherit except the religion and misfortunes of a family long on the decline.

On the marriage of his eldest son, Denis, who succeeded to the family estates in 1760, Mr. O'Connor retired to a small cottage built by himself, styled his 'Hermitage.' There, with his dearly-prized books and manuscripts, 'far from

the madding crowd's ignoble strife,' he spent the calm evening of life.

His *Dissertations on Irish History* were greatly admired by Dr. Johnson, who encouraged him in his researches. In a letter to the learned author, Dr. Johnson writes :—

I have long wished that Irish literature were cultivated. Ireland is known by tradition to have been once the seat of piety and learning and, surely, it would be very acceptable to all those who are curious either in the origin of nations, or the affinities of languages, to be further informed of the revolution of a people so ancient, and once so illustrious. I hope you will continue to cultivate this kind of learning which has too long lain neglected, and which if it be suffered to remain in oblivion for another century, may, perhaps, never be retrieved.

I expected [he writes later] great discoveries in Irish antiquity, and large publications in the Irish language ; but the world still remains as it was—doubtful and ignorant. Dr. Leland begins his history too late : the ages which deserve an exact inquiry are those times (for such there were) when Ireland was the school of the West, the quiet habitation of sanctity and learning. If you could give a history, though imperfect, of the Irish nation, from their conversion to Christianity to the invasion from England, you would amplify knowledge with new views and new objects. Set about it, therefore, if you can : do what you can easily do without anxious exactness. Lay the foundation, and leave the superstructure to posterity.

The quaint modern doctrine that Irish history was a subject to be neglected and forgotten would have got little countenance from Mr. O'Conor. He thoroughly appreciated the value of universal and national history as branches of general education, and believed that without knowledge of the past men are really only ' children of a larger growth.' He agreed with Pope that the proper study of mankind is man, and that those who despise the past are not likely to build for the future.

To know man [he writes] through the several revolutions of Government, opinion and manners ; to survey him at every stage where intellectual nature has been improved or depraved by education ; to consider him under the influence of climate or tyranny and custom ; in a word to detect him truly, is most certainly of importance. To get through so intricate a maze, no clue can be so useful as that which history puts into our hands, and the idea lately put forward, that the record of those isles of the North before the European Renaissance in the sixteenth century, are not worthy of attention, cannot be supported.

He was likewise convinced of the necessity of research for consulting the original authorities.

The knowledge we require [he says] must be drawn from purer fountains, from a closer acquaintance with the language and writings of the ancient inhabitants than has hitherto been attempted.

Referring to his own *Dissertations on Irish History*, Mr. O'Connor writes :—

I have endeavoured to outline the state of the island in ancient times. Early in life I perused, and I am still perusing, such of our old annals as fall in my way, and considering how they lie dispersed at home and abroad, I have made up no inconsiderable collection. New acquisitions brought new information, and on the discovery of a former mistake, I had no motive to persist in it. I retreated cheerfully and immediately, and will do so again, as new lights spring up from my own researches or those of others employed on the subject.

Ware [he continues] had excellent materials; but, unfortunately, meeting with ignorant interpreters, he committed gross mistakes in his book of antiquities, which nothing could occasion but a false interpretation. Only a few months before his death he called to his assistance Duaid MacFirbis, and had he lived to avail himself of that scholar's knowledge, we should, undoubtedly, have lights on the subject which cannot now be obtained, but with much industry and difficulty.

Duaid MacFirbis closed the line of the hereditary antiquaries of Lecan, Tirfiachra, on the Moy—a family whose laws, genealogies, and historical monuments have done honour to Ireland. The last of the MacFirbises was murdered at Dunflynn, in the County Sligo in 1670, and his death dealt our antiquities an irreparable blow.

The warm support and hearty approval of Dr. Johnson, the great English dictator of letters, and of Edmund Burke, the finest prose writer of the eighteenth century, enabled Mr. O'Connor to bear up against the general apathy and ignorant prejudices of the many. Far from joining in the current prejudices, they applauded his efforts to rescue from oblivion the ancient monuments of his country's greatness, and to rekindle a love for its language and literature. Dr. Curry's assistance, which he gratefully acknowledges, was also invaluable.

The writer [he observes] has experienced the advantage of the most

free communication with so warm and learned a friend, of whose instructions he availed himself, and whose historical collections were at all times at his disposal.

While surrounded by his favourite company—his books and manuscripts—the noise made by the McPherson controversy broke in upon Mr. O'Conor, and caused him to pause a moment in the midst of his historical inquiries. He was not impressed by McPherson's credentials.

He forgot to prove [he objects] how these poems could, through more than one thousand years, be preserved among an illiterate people; or how mere oral tradition, which taints every other composition and corrupts its stream as it flows, should have a primitive salt for keeping the works of Ossian sweet in their purity. He also forgot to prove how that illiterate bard should be so descriptive of arts and customs unknown in his age, and so silent about those which prevailed in it?

A delightful glimpse into the home life of this cultivated and true-born Irish gentleman is given in the *Journal of Beranger*, the distinguished artist who travelled in the West of Ireland in 1779, and sketched the most important of the antiquarian remains of that province.

Mr. O'Conor exhibited to the artist his library, where, among a vast collection of manuscripts, he showed him the *Annals of Connacht*; and, according as the sketches were completed, he wrote down under those relating to his native province the names of the founders, and the dates of their foundations.

The interpreter, who accompanied Beranger, was Terence Maguire—a scion of the famous Fermanagh clan; and the artist did not fail to note the great interest Mr. O'Conor took in the poor school-master, on learning he belonged to the great Ulster sept of that name.

We arrived [writes Beranger] at Belangar, the residence of Charles O'Conor, who is well known in the republic of letters by his publications on Irish History and Antiquities. It was now past seven p.m. He had just sat down to dinner, having given over seeing us that day. We were in good mood to help him to dispatch it, and ate as heartily as we had yet done during our tour. The benign dignity and native kindness of our host beamed in the expressive sweetness and serenity of his countenance.

Possessed of all those amiable and engaging qualities

which could secure friends, and of abilities which must command respect and pre-eminence, Mr. O'Connor was debarred of every benefit which such advantages promote, by being a Catholic. His heart was still better than his head; his integrity during a long life was unimpeached, and his charities equalled his income. His modesty was equal to his merits; a man of more unassuming manners or gentler deportment never existed. He cherished religion as the best gift of heaven, and benevolence and truth as among the first of virtues. He pursued industry and practised economy as the parents of hospitality and generosity. His patriarchal appearance in his more advanced years attracted the notice and commanded the respect of all who beheld him. He lived to a great age, having devoted his whole life to vindicating the honour, and promoting the happiness of his native country, and died full of years and merits in 1791—two years before the enactment of the first Catholic Relief Bill.

Nor further seek his merits to disclose,
 Nor draw his frailties from their dread abode,
 There they alike in trembling hope repose—
 The bosom of his Father and his God.

PATRICK L. O'MADDEN.

NOTES AND QUERIES

THEOLOGY

OBLIGATIONS OF JUDGES AT AGRICULTURAL SHOWS

REV. DEAR SIR.—Is the judge (or judges), who at one of our agricultural shows refuses first prize to an animal which he knows is certainly the best, bound to restitution to the owner?

Noldin (vol. ii., n. 454, 18th edition), says: 'Quoad obligationem restitutionis, quae occasione diversarum expositionum, quae hodie fiunt: machinarum, equorum, fructuum, florum, etc., ad hoc imprimis attendendum est, utrum expositio habeat rationem concursus, an rationem medii ad rerum culturam ideoque bonum commune promovendum. In priore casu jus ad praemium (primum) acquirit. qui rem optimam exponit, et proinde ad restitutionem ipsi faciendam tenetur, qui efficit, ne praemium ei adjudicetur. In altero casu jus strictum ad praemium nemo habet. Qui ergo causa est, cur praemium ei non tribuatur, cui ratione rei expositae convenit, contra justitiam distributivam peccat, ad reparationem damni autem non tenetur.'

Now, to which of these two classes do our shows belong? If to the latter, is the opinion releasing from the obligation of restitution solidly probable? On what principle, in this supposition, does Noldin rely to excuse from restitution?

C. I. S.

So far as our knowledge of this kind of show goes, we do not think that it is possible to make a clear-cut distinction between those shows intended to promote the common good, and those which are primarily competitions. We should say that agricultural shows have for their main object the promotion of the common good, by aiding and encouraging production on the best lines; and as means to that end they provide competitions and offer prizes for the best exhibits.

There is clearly an implied contract in these competitions. Prizes may be withheld altogether if the requisite standard of excellence is not attained; but when they are given they must be awarded strictly according to the merits of the exhibits. Therefore, the judge who wilfully passes over the best animal, in his honest opinion, and gives the first prize to an inferior animal, violates strict justice, and is bound to restitution.

Viewing the matter objectively, we think he is also guilty of a further injustice. These shows provide a market for the sale of exhibits, and

it is well known that prize-winners command an enhanced price. We may scarcely presume that the judge does not advert to the injury that results in this way and, hence, he would be bound to recompense the injured exhibitor, in so far as he deprived him of the opportunity of obtaining a higher price.¹

If there are such shows as those contemplated by Noldin, in which there is no element of competition (*ratio concursus*), his conclusion is not merely solidly probable, but quite certain. The reason is that, in such a hypothesis, no one has a right to a prize, for there is no contract, expressed or implied, between the promoters of the show and the competitors. In fact, in such a case, there would be no competitors at all, but only exhibitors. There would be no antecedent offer of prizes for the best exhibits. The awarding of prizes would be a sort of after-thought. Thus, we might imagine prizes being given to certain exhibitors merely by way of encouragement—a proceeding which, we think, would scarcely involve even a violation of distributive justice. This latter virtue would certainly be violated if prizes were awarded merely on grounds of favoritism.

But we cannot convince ourselves that there are any such shows, in this country, at least. In our shows the competition element is manifestly present just as much as in a horse-race.

THEOLOGY OF INSURANCE, PAYMENT OF TAXES, OLD AGE PENSIONS

REV. DEAR SIR,—Would you be good enough to tell me through the I. E. RECORD some of the theology regarding (i) Income tax—failure to pay and concealment, etc., of income; (ii) Insurance—failure to stamp cards on part of employer; attempts to defraud companies; (iii) Old Age Pension—misrepresentation of age, income, etc.

M. C.

We must apologise to 'M. C.' for our inability to comply with this request. To do so we should be obliged to write a whole treatise on these departments of justice. If he will read any of the ordinary text-books on these matters, and communicate his exact difficulties, we shall do our best to assist him.

P. O'NEILL.

¹ 'Qui a consecutione alicuius boni cum exclusit, qui *positivum ius ad illud bonum non habuit*, tenetur ad restitutionem, si *mediis iniustus* usus est. . . . Quae restitutio facienda est pro rata spei, quam alter habuit, fore, ut bonum illud consequeretur.'—Lehmkuhl, *Theol. Mor.*, i., n. 1160.

CANON LAW

SOME QUERIES REGARDING THE JUBILEE

REV. DEAR SIR,—There is one obscurity in the terms of the Jubilee concession on which I should like to have an opinion. Does the phrase *occurrente necessitate* in the paragraph relating to those who have power to commute the conditions for religious, refer to the necessity for commuting, in other words, the *justa et rationabilis causa*, mentioned previously in the document; or does it refer to some necessity which would prevent a religious from having recourse to the Superior *in foro externo*, and so compel him to seek commutation from a confessor? The point is important. For, if the former interpretation be adopted, religious are given a choice with regard to commutation; they can seek it either from the Superiors mentioned or from the confessor; if the other view be adopted, religious are deprived of a privilege enjoyed by all others. They can seek a commutation from their confessor only when some necessity occurs which prevents them from having recourse to their Superiors.

I am sure readers of the I. E. RECORD would be glad to hear your opinion.

J. A. C.

In our opinion the phrase *occurrente necessitate* refers to some necessity which may prevent a religious from having recourse to the Superior *in foro externo*. In order that our readers generally may properly appreciate the position, we shall quote the pertinent section of the Constitution:—

‘Religiosi omnes et quotquot hoc nomine veniunt in parte secunda libri secundi Codicis juris can. dispensari possunt tum singillatim tum collegialiter a suis immediatis Superioribus, commutatis operibus præsriptis in alia, quæ tamen non sint sub præcepto debita; Congregationes autem religiosæ laicales ab eo sacerdote, qui regimen earum exerceat in foro externo; atque, occurrente necessitate, singuli a proprio confessario.’

In order that the Superiors in the external forum can dispense, the ‘just and reasonable cause’ mentioned in the preceding section of the Constitution is, of course, necessary. Accordingly, if confessors were in the same position as the Superiors in the external forum, if a ‘just and reasonable cause’ were the only condition of their dispensing, the phrase *occurrente necessitate* would be absolutely unnecessary. Its insertion, to our mind, indicates clearly enough that the Superiors in the external forum are the persons primarily commissioned to dispense, and that only when there is some difficulty in approaching them can confessors exercise this power. In instituting a comparison between religious and others in this matter, one must remember that religious have two sources from which commutations may be obtained—the Superior in the external forum and, in case of necessity, the confessor;

whereas, seculars and the faithful generally are dependent on the confessor and, therefore, from one point of view, the former are the more highly privileged.

In our notes on the Jubilee, in last month's issue, we expressed the opinion that the condition in regard to fast and abstinence could not be fulfilled on days on which either fast or abstinence was obligatory. A correspondent has since written to say that he disagrees with us on this point. He points out that: 'In the Jubilee of 1865 it was prescribed that the faithful should fast on the Wednesday, Friday and Saturday of some one week. By instructions sent from Rome it was explained that for those who made the Jubilee during Lent it sufficed for the Jubilee fast to fast on a Wednesday, Friday and Saturday of Lent. In the extraordinary Jubilees of 1879 and 1881 a one-day's strict fast was prescribed, and again instructions were sent from Rome that this fast could be observed during Lent, except on days not included in the Lenten indults.' The commentator on the Jubilee in *Il Monitore Ecclesiastico* holds the same view; but, apart from the words of the Constitution, he does not give any reasons.¹

As we hinted in our notes, this is a matter upon which a good deal may be said on both sides. The points mentioned by our correspondent afford an indication of the attitude which the Holy See may take up, if it be approached on this subject; but otherwise they do not, it seems to us, throw very much light on the question. The declaration of the Sacred Penitentiary in regard to the 1865 Jubilee was really a concession not contained in the Jubilee as originally published. This is evident from a reply to a subsequent query as to whether the declaration applied to times outside of Lent, such as the weeks of Quarter Tense; the reply contained the following words: '*Benigne annuit pro gratia adimplendi duplex praeceptum tantum.*'² Accordingly, in the Jubilee, as originally published, the condition in regard to fasting could not be fulfilled on days upon which fasting was already obligatory by precept, which rather favours the attitude we have taken up.

The Apostolic Letter which promulgated the Jubilees of 1879 and 1881 made it quite clear that the fast could be observed, except on days not included in the Lenten indults, so that the declaration of the Sacred Penitentiary proves nothing to the present purpose; these are the pertinent words of the Letter: *Ac semel intra praefatum tempus esurialibus tantum cibis utentes jejunaverint, praeter dies in quadregesimali indulto non comprehensos, aut alias simili stricti juris jejunio ex praecepto Ecclesiae consecratos.*³ Authentic direction in this matter would be very desirable; and, if it be given, it is not unlikely that it will take the form of a concession similar to that made in 1865.

In regard to the personal privileged altar which priests have been granted, the same correspondent thinks there are solid grounds for

¹ *Il Monitore Ecclesiastico*, Febbraio, p. 40.

² *Acta Sanctae Sedis*, vol. i. p. 175.

³ *Ibid.*, vol. xi. p. 419.

holding that the conditions normally applicable to this privilege do not hold in the present case, and that, in particular, the plenary indulgence need not be applied for the soul for whom the Mass is offered; the commentator in *Il Monitore Ecclesiastico* is of opinion that this point can be settled only by a decision of the Holy Sec.¹ The basis of our view is a reply given in 1885. The Congregation of Indulgences was asked: 'Utrum indulgentia plenaria altaris privilegiati personalis: 1° debeat a sacerdote, qui actum heroicum caritatis emisit, applicari animae, pro qua Missam celebrat? aut 2° possit applicari pro libito cuius defuncto?' The reply was: 'Ad primam partem, *affirmative*; hoc enim modo privilegium altaris conceditur a Summo Pontifice: ad secundam, provisum in responsione ad primam partem.'² The answer to the first query contains not only the solution of the particular case under consideration, but also states the general principle upon which it is based, viz., that the Pope grants a personal privileged altar on the condition that the indulgence is applied to the soul for whom the Mass is offered. Accordingly, this condition qualifies personal privileged altars, even though particular indulgents say nothing on the point. If then the privilege granted by the Constitution *Auspiciantibus Nobis* can be called, and is, a personal privileged altar—we do not see how this can be denied—it seems to follow necessarily that the plenary indulgence can be applied only to the soul for whom the Mass is offered.

We have been also asked our opinion as to whether the prescribed works may be commuted only when the Jubilee indulgence is first gained, or may they be commuted as often as one who is unable to perform them desires to gain the Jubilee. We are of opinion that the prescribed works may be commuted as often as one who is unable to perform them desires to gain the Jubilee. The restrictive clause in the Constitution regarding commutation and dispensation, it seems to us, refers only to the extraordinary faculties of commuting and dispensing vows; the collocation, in the clause in question, of this power of dispensing and commuting, with the power of absolving from reservations, and the statement that, when the Jubilee is first gained, confessors may use it several times with the same penitent, *who has not yet performed all the prescribed works*, are evidence of this. The fact that confessors alone are mentioned in connexion with the use of the power is a further proof that it does not embrace the faculty of commuting the Jubilee conditions; not merely confessors, but also Superiors in the external forum for religious institutes have this faculty.

Another consideration which inclines one to the conclusion that the prescribed works may be commuted several times for the same person is that, otherwise, whole classes of persons, such as cloistered nuns, could gain the Jubilee only once, which seems to be opposed to the Holy Father's purpose. The *Monita* for the Jubilee of 1925 expressly declared that one

¹ Loc. cit., p. 46: 'Il dubbio se siano obbligati ad *applicare la Messa* per quell' anima non può essere risolto che da una esplicita dichiarazione del Concedente.'

² Cf. Beringer, *Les Indulgences*, tom. i., ed. iv., n. 988.

could gain the indulgence as often as one performed, not merely the works themselves prescribed by the Constitution, but also those that may have been substituted for them by legitimate commutation; whereas they restricted the use of the faculty to absolve from reservations, and to commute and dispense vows to the first occasion on which the indulgence was gained.¹ This attitude of the Holy See on so recent an occasion indicates the probability of a similar attitude being adopted in the present Jubilee.

THE VALIDITY OF A CERTAIN DIOCESAN STATUTE

REV. DEAR SIR,—May I again take the liberty to address you on the subject of a previous query, to which you kindly replied in your January issue, page 65.

As I understand your response, you take the position that *normally* offerings for funeral Masses may not be regarded as *jura stolae*, whence you conclude that the entire amount, less choir expenses and the like, must be given to the celebrant.

Two such eminent authors as Vermeersch-Creusen, however, do not agree with you. In their *Epitome Juris Canonici* (Malines, 1922) these writers say: 'Parochus qui alteri committit eandem Missam cujus celebratio inter *jura parochialia* reponitur, v.g., in exequiis defunctorum, celebranti tradere non debet nisi elemosynam consuetam pro missa quae tali hora canatur: reliquum licite retinet ut pertinens *ad jura stolae* (op. cit. t. ii. 108, 3). And the reason why the *Parochus*, as such, has certain rights, the same authors give in the following quotation: 'Si Parochus per alium jus suum exerceat, isti consuetum stipendium tradere debet, reliqua omnia sibi retinere potest *quippe quae dentur non pro labore sed ex grato animo* at ad sustentandum illum a quo tot beneficia spiritualia accepit (ibid. No. 537).

Father Cappello, S.J., says substantially the same: 'Si Missarum elemosynae *ad jura parochialia* pertinent . . . e.g., in exequiis . . . parochus easdem Missas alii celebrandas committens non nisi stipendium ordinarium tradere tenetur, et quidem attento praescripto citati can., ob paritatem rationis, juxta taxam diocesis in qua Missa celebratur'—*De Sacramentis*, i., page 567, No. 705 (Turin, 1921). Cf. also Bargilliat, *Praelectiones Juris Canonici*, No. 1120b (Paris, 1921).

SACERDOS.

Our readers may remember that the subject of the previous query to which 'Sacerdos' refers, was the legality or otherwise of a certain diocesan statute, which requires that the whole stipend on the occasion of an exequial Mass should be given to the celebrant. We expressed the opinion that this statute was quite valid and legal, and in the course

¹ *Monita*, n. xvii., I. E. RECORD, 1924, vol. xxiv. p. 430.

of the discussion we did take up the position mentioned in the present query. We are quite convinced, indeed, that it is the true position; still, to avoid all misapprehension, we must point out that it is not essential to our conclusion on the main issue. Provided that it is the function of local custom and local legislation to determine the nature and destination of the stipend for funeral Masses, this statute would still be quite constitutional, even though in the Church generally the stipend pertained to the *jura stolae* of the parish priest. In this hypothesis, the question as to what is the normal discipline is entirely one of fact.

'Sacerdos' questions the correctness of this position by adducing from distinguished canonists a couple of passages which, he thinks, are irreconcilable with it. These passages, however, as will be seen on examination, do not assert that the stipend for funeral Masses normally pertains to the *jura stolae* of the parish priest; and on the other hand, they help to confirm our attitude on the main issue regarding the validity of the statute. We shall examine the quotation from Capello first of all; but before doing so, we must give the complete passage, from which our correspondent has omitted a few very important words: 'Si Missarum eleemosynae ad jura parochialia pertinent, vel quatenus locum tenent *congruae parochialis*, vel quatenus *ex statuto aut legitima consuetudine diocesis ad jura stolae* referuntur, ex. gr. in exequiis aut benedictione nuptiali, parochus easdem Missas alii celebrandas committens non nisi stipendium *ordinarium* tradere tenetur, et quidem, attento praescripto cit. can. ob paritatem rationis, juxta taxam diocesis in qua Missa celebratur.'

We fail to see how the passage can be construed as an assertion that stipends, on the occasion of exequial Masses, normally pertain to the *jura stolae* of a parish priest; it simply mentions Mass offerings on the occasion of funerals and marriages as examples of stipends that may, in virtue of diocesan statute or custom, be of this character. We, in our reply, not only admitted this possibility, but we referred to some places in which it was actually the discipline; and, from the references which Capello gives in an appended footnote, it is evidently these places that he also has in mind. In as far as the question which we discussed in the January issue is concerned, the really important part of this quotation is the clause, *quatenus ex statuto aut legitima consuetudine diocesis ad jura stolae referuntur*. In these words the author clearly implies that Mass stipends pertain to the *jura stolae* only when there is a diocesan statute or a diocesan custom to that effect. If such be the case, then there can be no question of the legality of a diocesan statute which assigns the whole offering on the occasion of an exequial Mass to the celebrant.

There is quite a little difficulty in reconciling the passage from Vermeersch-Creusen with our position. As anybody who reads it can see, it contains no assertion that stipends on the occasion of exequial Masses normally pertain to the *jura stolae* of a parish priest; all it does state is that, if a parish priest gets an exequial Mass sung by another priest, he need transfer only the usual stipend for such Masses. Note should be taken of the words, *eleemosynam consuetam pro missa quae tali hora*

canatur ; they have a very different meaning from *eleemosynam consuetam pro missa manuali lecta*. Now, how is this *eleemosyna consueta* for exequial Masses to be determined? Clearly, of course, in view of all that has been said on this subject, by local legislation or by local custom. In the diocese in question the statute under discussion has fixed it at eight dollars, and this is the sum, according to this passage, which a parish priest should transfer. If a larger stipend were offered, Vermeersch-Creusen would regard the excess as pertaining to the *jura stolae*, and allow the parish priest to retain it. We need not examine in how far this is true ; it is immaterial to the question under discussion. The other quotation from Vermeersch-Creusen, which contains the reason for their position, applies only to the excess just mentioned ; the *consuetum stipendium* is, evidently, the usual stipend for exequial Masses, to which the authors have referred in the passage immediately preceding.

We have not the edition of Bargilliat to which our correspondent refers, but in an earlier one we find the following paragraph :—

‘Item parochi, pro missis nuptialibus vel exequialibus si eas aliis celebrandas committant, ordinariam tantummodo eleemosynam tradere possunt, retento pinguiori stipendio quod pro iisdem missis specialiter fixum est, modo, *ratione officii parochialis*, et propter officia parochialis beneficio inhaerentia, eleemosyna pinguior, ut *jus stolae* concedatur.—S.C.C. in Triviren, 11 Maii. 1888.’¹

Bargilliat does not state in this passage that the larger stipend fixed for exequial Masses always or even usually pertains to the *jura stolae* of a parish priest ; he simply says that, if it does, the parish priest need not transfer the whole of this large stipend. We also made a similar statement in our reply, and we mentioned Treves as one of the places in which the larger stipend actually does pertain to the *jura stolae* ; and the decision of the Sacred Congregation of the Council in the Treves case is, evidently, the basis of Bargilliat’s teaching on this matter.

CINEMATOGRAPH DISPLAYS IN CHURCHES

REV. DEAR SIR,—Would you kindly say whether it is lawful to have a cinematograph display in a church, if the film is of a religious and elevating character and the purpose of the display is a charitable one? In the particular case which I have in mind there is no suitable hall in the parish, so that the exclusion of the church will practically mean that the performance must be abandoned.

SACERDOS.

The pertinent canon in this connexion is 1178, which excludes from a church everything which is out of harmony with its sanctity and unbecoming the reverence which is due to a sacred place.² Whether this

¹ *Prael. Juris Can.*, ed. xxv., tom. ii. n. 965.

² ‘Ab iisdem arceantur negotiationes et nundinae, quamquam ad *finem* pium habitae, et generatim quidquid a sanctitate loci absonum sit.’

canon prohibits a cinematograph display of the character and in the circumstances outlined by 'Sacerdos' it would be somewhat difficult for unaided reason alone to determine. Fortunately, however, there is authoritative teaching on the point; the Consistorial Congregation, in a decree, issued on the 10th of December, 1912, expressly declared that such displays may not take place in a church. The decision, indeed, is a pre-Code one; but this is immaterial, seeing that the new discipline is identical with the old, and that both are merely an expression of the divine law.¹ As the decree is an interesting and practical one, and as moreover, it is very brief, we shall quote it in its entirety:—

'In these last years it has not infrequently happened that by means of *cinematographs* and *projections*, as they are called, certain scenic actions take place in churches. Even though this is done with the desire of assisting the religious instruction of the faithful, yet it seems to give an easy opportunity to dangers and inconveniences.

'Since, therefore, some Bishops asked the Apostolic See whether a practice of that kind can be tolerated or ought it rather be restrained, the matter was referred to their Eminences the Fathers of the Consistorial Congregation. Accordingly, these, considering that buildings dedicated to God, in which the divine mysteries are celebrated, and the faithful are aroused to heavenly and supernatural things, should not be converted to other uses, and especially to the performance of scenic actions, even though in themselves praiseworthy or pious, were of opinion that projections and cinematograph representations of every kind whatever should be entirely forbidden in churches.

'Our Holy Father Pope Pius X ratified and confirmed the opinion of the Most Eminent Fathers, and ordered to be published this general decree, by which those displays in churches are forbidden.

'Everything to the contrary notwithstanding. Given at Rome from the Sacred Consistorial Congregation, 10th December, 1912.'²

ATTENDANCE AT SHAKESPEAREAN PLAYS IN PROVINCIAL TOWNS

REV. DEAR SIR,—I saw recently in an ecclesiastical Review the following case: A priest resides in an ecclesiastical province where priests are forbidden under suspension, incurred *ipso facto* and reserved to the Bishop, to go to theatres. The priest falls ill, and when convalescing, six months later, goes to a theatre, quite forgetting the prohibition. Who can absolve him?

In giving his answer the expert makes the following observation:

'We take it for granted that there actually was such a law in the province, though we fail to see how an *ipso facto* suspension can be inflicted for an action which is not morally wrong, unless peculiar

¹ Canon 6, 2°. 'Canones qui jus vetus ex integro referunt, ex veteris juris auctoritate, atque ideo ex receptis apud probatos auctores interpretationibus, sunt aestimandi.'

² A. A. *Sedis*, 1912, p. 724.

circumstances exist in the said province that makes attendance at the theatre gravely sinful. Such circumstances might be that the theatrical performances in that locality are, as a rule, immoral, or that the people take offence at seeing clergy go to theatres.' He seems, therefore, to question the validity of the law unless these peculiar circumstances exist. If a Shakespearean Company comes to a provincial town, and has on the programme: *Macbeth, Hamlet, Richard III, Merchant of Venice*, may a priest go to these plays, and not incur the *ipso facto* suspension of the Maynooth statutes?

INQUIRER.

We have not seen the complete reply of which our correspondent quotes a part, nor do we know to what Review he refers. We can deal with his query, therefore, only as he has formulated it, and without any assumption of responsibility for possible inaccuracies in his presentation.

The portion of the reply quoted is based upon a principle which is untrue; the words, 'we fail to see how an *ipso facto* suspension can be inflicted for an action which is not morally wrong, unless peculiar circumstances exist in the said province that make attendance at the theatre gravely sinful,' presuppose that ecclesiastical law cannot forbid anything which is not already morally wrong in virtue of the natural or positive divine law. This principle is so notoriously out of harmony with the recognized teaching on this question, that it would be waste of time to engage in anything like an elaborate refutation of it; it will suffice to recall that such well-known ecclesiastical laws as those regarding fasting, abstinence, and servile work on Sundays and holidays forbid things which antecedently are quite lawful. Undoubtedly, of course, ecclesiastical superiors cannot forbid indiscriminately things which are in themselves morally good and lawful; amongst other conditions which laws should fulfil, it is necessary that they should, at least ultimately, promote the general well-being of the community for which they are intended. When, however, Superiors do forbid things which are in themselves lawful, the presumption is that this condition is fulfilled, and that the circumstances are such as to render the prohibition quite appropriate; and a subject, as a rule, can effectively challenge this presumption only by having recourse to the Holy See. Moreover, it should be remembered that a prohibitive or any other law, made with a view to obviating a general danger, binds, even though in a particular case the danger is absent¹; in order that one be excused from such a law it is necessary that its observance should involve serious inconvenience.

In regard to the case submitted to the Review to which our correspondent refers, it is obvious that there was only a material violation of the law, that the suspension, therefore, was not incurred, and that there was no need whatever for absolution.

These are merely preliminary issues raised by 'Inquirer's' letter; the point in which he is directly interested is whether priests, the Maynooth

¹ Canon 21. 'Leges latae ad praevidendum periculum generale, urgent, etiamsi in casu peculiari periculum non adsit.'

statute¹ notwithstanding, may attend the performances of a Shakespearean Company in a provincial town—we presume that there is question of a professional company and a public hall. The fact that the plays performed are Shakespearean makes no difference whatever in regard to the incidence of the statute; the law does not distinguish, its prohibition being universal, and even though the danger which it was meant to obviate may be absent in this case, it still binds in accordance with what we stated above. For another reason, however, there used to be some differences of opinion on this matter; it was doubted by some whether the words *theatrorum quorumcunque publicorum* included public halls which were not theatres in the strict sense of the term. A former editor of this section of the I. E. RECORD decided that they did,² and, as far as we know, no serious attempt has since been made to question the correctness of his reply. With his interpretation of the Maynooth statute we are in full agreement; *theatrum*, in a wider acceptance of the term, means any place of exhibition, and the use of the word *quorumcunque* indicates clearly that it has this wider sense in the statute, and is not confined merely to licensed theatres. Accordingly, we are of opinion that priests may not attend the performances in question, and that, if they do so, they violate the statute, and incur the suspension.

J. KINANE.

¹ N. 180. 'A theatrorum quorumcunque publicorum spectaculis . . . (clerici) prorsus abstineant.'

² Cf. I. E. RECORD, Fourth Series, vol. xxvii. pp. 296-299.

LITURGY

SOME RECENT ROMAN DOCUMENTS

In this issue we deal with some important Roman documents of special liturgical interest, to which we think it well to direct attention.

I.

AN APOSTOLIC CONSTITUTION ON THE LITURGY, GREGORIAN CHANT, AND SACRED MUSIC.¹

The Constitution, which will be known from its opening phrase, *Divini cultus sanctitatem*, is dated December 20, 1928, and was published to the world in the *Acta Apostolicae Sedis* on February 6, 1929. It thus coincides with the twenty-fifth anniversary of the famous *Motu Proprio* of Pius X (1903) on Gregorian Chant, and is issued in the year of the Golden Jubilee of Pius XIth's ordination. We shall just give a brief synopsis of its provisions. As may be noted, the new Constitution divides itself, naturally, into two parts, viz., the first part, emphasizing the importance of the Liturgy in the divine economy of the Church, and the solicitude of the Popes, in all ages, to safeguard and embellish it, and to have it explained to the people; and the second, indicating to the Ordinaries of all places in communion with Rome certain practical suggestions, by the carrying out of which the wishes of the Holy Father in this matter may be attained. In the opening paragraphs the Pope extols the beauty and grandeur of the Divine Office, and recalls the efforts made by his predecessor, Pius X, to restore to its ancient splendour, and to foster and encourage among the faithful the sacred chant of the Church.

In some places, he says, where the prescriptions of Pius X were put in practice, excellent results have been achieved, in others, he says with regret, that they were not carried out—or only partially—with the result that those spiritual benefits were not attained. The people are to be encouraged to get back their ancient privilege of joining in the sacred chants of the Church, and be no longer, as he says, dumb spectators of sacred ceremonies, but active participants.

The practical suggestions are chiefly the following:—

(i.) Aspirants to the priesthood are to be trained in Gregorian chant from their earliest years.

(ii.) In seminaries and other houses of study there should be frequent if not daily instruction in the Sacred Chant.

(iii.) In basilicas, cathedrals, collegiate and conventual churches, the choral Office is to be restored, and carried out, not merely *pie attente et devote*, but *quantum ad canendi artem attinet*.

(iv.) In choirs of canons and religious there should be a *rector chori*, who will correct abuses, and will see that the chant is properly performed.

¹ Vid. *infra*. p. 421.

And in basilicas and all greater churches, due attention should be given to polyphonic music.

(v.) *Scholæ* of boys should be established, not merely in the greater churches of religious and in cathedrals, but also, where possible, in parochial churches, who will, in rendering the sacred chant, join in harmony with the choirs of men.

(vi.) Orchestral accompaniment of the chant, or the use of musical instruments in the Divine services are not in accordance with the mind of the Church, or at least not to be compared with the human voice; but the Church looks with favour on the *organ*, because of its dignity and majesty. Care, however, is to be taken, both as to the construction and playing of the organ, that nothing profane or contrary to the spirit of the liturgy is introduced.

(vii.) In schools, institutes, orphanages, pious societies, etc., liturgy and sacred music are to be cultivated and encouraged, and Bishops and Ordinaries are exhorted to see that effect is given to these instructions of the Holy Father, 'quidquid enim ab ipsa, quam Ecclesia vivet, interiore vita proficiscitur, mundi hujus perfectissima quaque transcendit.'

II.

THE FEAST OF THE SACRED HEART.¹

The next is the universal decree *Urbis et Orbis*, fixing the new Office and Mass for the Feast of the Sacred Heart.

In the Encyclical *Miserentissimus Redemptor*, published last year,² it was stated that the Feast was to be given an Octave; but there was no indication that the Octave was to be privileged. Neither was it foreshadowed that it was to have an entirely new Mass and Office, with the result that the local *Ordines* of the current year have been unable to give the proper directions for either Mass or Office throughout the celebration of the Feast. In the Missals, as we have them, it will be noted that there are two Masses of the Sacred Heart: one in the body of the Missal, *Miserebitur* for the special Feast, the other, *Egredimini*, in the section *Pro aliquibus locis*, which is sanctioned only for certain places by special Apostolic Indult. Such an Indult existed for Ireland prior to the revision of the Irish Proper in 1918, when the privilege was allowed to lapse.

The new Mass, *Cogitationes cordis*, takes the place of both, irrespective of privilege; and is to be inserted in the Missal after the second Sunday *Post Pent.* The Gospel of the new Mass is taken from *Miserebitur*, and the Epistle and Post-Communion from *Egredimini*; but the rest is new, including a Proper Preface, which is now published for the first time.

The Octave granted to the Feast is a privileged one of the third order, thus ranking liturgically with the Octave of the Ascension. The days within the Octave will, accordingly, yield precedence to feasts of semi-double rite, or higher; but on all feasts on which the Office or Mass are not recited, the Octave is entitled to a commemoration—except on Feasts of Our Lord, *ob identitatem mysterii*. On days on which the Office

¹ Documents to be published in May I. E. RECORD.

² Vid. I. E. RECORD, July, 1928, p. 87.

of the Octave is recited the Lessons of the First Nocturn are from the Scripture occurring : those of the Second Nocturn from the Encyclical *Miserentissimus* ; those of the Third Nocturn, are *proper* ; but the remainder is taken from the Proper of the Sunday, as in the case of all privileged Octaves. The Sunday within the Octave (*III Post Pent.*) retains its own Office and Mass (with Preface and liturgical colour of the Feast), but the psalms and antiphons are of the Feast.

In the Irish *Ordo* for the current year the following changes should be noted :—

(i.) Thursday, June 6. Vesp. of the following—no com., all Prop.

(ii.) Friday, June 7. Mass *Cogitationes Cordis*. Pref. Prop.

(iii.) Saturday, June 8. Second day within the Octave. All as on Feast and Prop.

(iv.) Sunday, June 9. Of the Sunday. Off. as in Feast and Prop. Pref. Prop.

(v.) Friday, June 14. Octave day of Feast. All as on Feast and Prop.

III.

THE COMMUNION OF THE SICK IN HOSPITAL.¹

In the last number of the I. E. RECORD, in reply to a query on this matter we stated that in giving Communion to several sick people in the same house or hospital, but *in distant rooms*, the full rite of the Ritual, including the Blessing at the end, should be carried out in each case. This was in accordance with the new Roman Ritual, and any departure from it, e.g., to use the plural formulæ prescribed in the Ritual for several sick in *codem cubiculo vel loco*, was justified only by Apostolic Indult. Such an Indult is now extended by the Holy Father to the universal Church, with the additional faculty of saying the words *Domine non sum dignus*, etc., only *once* (not thrice) in each room, except the first. Thus, the *Pax huic domni*—*Asperges* with versicle and Prayer—*Miseratur vestri*, etc., are said in the plural in the first room ; in the others *Miseratur tui*, etc., *Domine non sum dignis* (*semel*) and in the final room the Prayer and the Blessing (with or without the pyx, as the case may be).

M. EATON.

¹ Vid. *infra*, p. 426.

CORRESPONDENCE

'THE ORIGIN OF THE ROSARY'

REV. DEAR SIR,—It is so important to know exactly and completely what happened at the restoration of the Rosary Confraternity in Cologne by James Sprenger (1475), that the words of two more writers may be advantageously quoted in the present part of this letter. Father Nicolaus Jansenius (*Janssenboy*), O.P., speaks about Sprenger in his work *Beneficia Fratribus Praedicatoribus a Diva Virgine collata, Antverpiae, 1632*. This I have not seen, but from a translation of it, *Erzeugte Wolthaten den Prediger-Ordens Brüdern von der heiligsten Jungfrauen, etc., Coln 1642*, I give the passage in its quaint language (page 109): *Endtlich hat die Mutter Gottes selber dem H. Dominicus dem seligen Alanus de Rupe und dem ehrwürdigen Jacobo Sprenger wie angenehym ihr das Rosenkranzes Gebett seie angezeigt, und sie gelehret. Nämlich dass nach dem Hochwürdigsten opffer der H. Messe nichts sondre edels vom Menschen erdacht, noch Gott auffgeopferet werden. Sie hat zwar zum ersten H. Dominicum von der weiss und gebrauch des Rosenkranzes underrichtet, auch ernstlich ermanet und zugesprochen, wolte er die Albigenser ubersiegen schlegen und obsiegen, so solt er dem christl. volk dise neue wapfen zeigen und verkündigen. Es ist auch alles nach dem glücklich erfolget, etc.* This is enough to show that he regards St. Dominic, blessed Alan Roche, and venerable James Sprenger, as having been taught the excellence of the Rosary by the Blessed Virgin herself.

The other passage is from Gelenius, *De admiranda magnitudine Coloniae, Coloniae, 1645*. It is a long one, yet on account of its surpassing interest, I think it ought to be given in full. The work from which it is taken is the standard authority on the ecclesiastical history of that fair city on the Rhine, which has been justly styled the 'German Rome.' Aegidius Gelenius (1595–1656), himself a Canon of Cologne Cathedral, who, subsequently, became Bishop-Auxiliary of Osnabrück, was one of the best historians of his time. He had abundant materials at his command, and he used them well. In the third chapter of his work he describes the Dominican church of Holy Cross, with the relics contained in it, and the confraternities attached to it. I had reason already to speak about the siege of Neuss, and about the panic which, in consequence, seized on the inhabitants of Cologne; but I did not borrow anything for the description from Gelenius who, therefore, is now for the first time utilized. On the present subject he speaks, as follows:—

SECT. V.—ARCHIFRATERNITAS ROSARII B.M.V., ET ALIAE SODALITATES.

Inter sodalitia hujus ecclesiae princeps est gloriosa illa et inclyta Sacratissimi Rosarii Archifraternitas, cujus neque pietas erga SS. Virginem

Mariam nec meus quo erga eam feror affectus permittunt me parce de ea loqui, quippe qui Archiconfraternitatis alumnus humilem, et quondam Praefectum licet indignum me agnosco fuisse.

De hujus Archiconfraternitatis ortu, et renovatione constat, quod cum Sanctissimus Praedicatorum Ordinis fundator Dominicus Albigenisium haeresi extinguendae imo toti reducendo mundo strenue incumberet, nec tamen speratum haberet successum, ad Virginem opem imploraturus convolarit, illa supplicii suo animum generosum inculcarit, adjutorium sponderit psalterium suum, veluti aptissima expugnandae haeresis arma et totius covertendi mundum remedium praedicandum divulgandumque obtulerit, quippe Deiparae per Albigenisium haeresim ablatus cultus et honor opportunissime restaurari visus est, et totius mundi ardor, quo in prima et maxima vitia exarserat extingui posse judicatus.

Prima enim psalterii pars quae felicissimum illud Christi cum humana natura commercium proponit, carnem humanam divino contactu sanctificatam et purgatam, turpitudine minime inficiendam, et membra Christi minime efficienda membra meretricis proponit. Secunda passionis et mortis Christi memoriam inducens etiam hominum superbiam aptissime obtundit. Tertia triumphantis, resurgentis, et regnantis gloriam ostendens, hominum animos avaritia sprete ad caelestia erigit. Rosario igitur mundus tribus a Deo speculis delendus, quod usque modo perstet debere videtur.

Sacratissimus igitur hic orandi modus a B. Dominico strenue, et suis filiis Praedicatoribus propagatur et per universum orbem divulgatur, donec orci invidia, hominum malitia et socordia piissimus orandi ritus aliquanto temporis obliteratur et occultatur; surrexit tandem Rupensis Alanus professione praedicator totus Marianus, qui Dei Parentis monitu sub annum millesimum quadragesimum septuagesimum in Britannia, aliisque adjacentibus regionibus hunc orandi modum renovavit, sodalitatesque oblivione sepultas resuscitavit; tandem quae et ipsa devotio ex ignorantiarum et oblivionum tenebris coepit emergere Coloniae anno 1474, eodem nativitatis B. Virginis die, eodemque anno, quo B. P. Alanus praemia recepturus ad coelos evolavit.

Huic renovationi occasionem dedit Carolina tempestas armorum in agrum Colonicensem invecta, et urbem Neuesisiensem spretis Imperatoris edictis, majestatemque imperii oppugnans; Colonia tunc omnia experiebatur (cum) humana tum divina, et quantum in dies periculi fortunaeque iniquitas, tantum ipsius crescebat religio et pietas. Auxilium de coelo sperabat, poscebat assidue Deum, in cujus manu sortes nostrae, et inbelli turbae Coloniensi armisque gerendis inviduae, id erat a magistratibus negotium, ut templa obiret. Quin omnibus in ecclesiis supplicationes fere quotidianae fiebant petente Senatu, qui ipse frequens interesse et exemplo praecire solebat. In eo motu ac trepidatione, de Senatu primarii duo nomine Senatus Amplissimi ad Conventum Praedicatorum venerunt, consilii familiariter capessendi causa a viris religiosis de negotio religioso, num quid ipsis videretur agendum quod Numini propitiando periculoque avertendo optimum foret et auspicatum.

Agebat id temporis Priorem Praedicatorum Coloniae SS. Theologiae Magister Jacobus Sprengerus, postea Provincialis per Germaniam, Saxoniam,

et Austriam. Reverendus quoque Pater Frater Michael ab Insulis Studiorum Regens qui postea Episcopus Salubriensis creatus fuit.

Hi duo in privatum venerunt colloquium cum Dominis civitatis quos nonnullis in rem praesentem habitis sermonibus, dimiserunt hoc cum responso; visuros se et deliberaturos cum caeteris Patribus de Consilio. Itaque continuo R. P. Prior, convocato in capitulum Conventu, omnium precibus commendat impensius, cum periculi statum tum suam de re gravi deliberationem instituendam. Simul dimissis caeteris refert ad Patres Consultores et quaerit; quid facto opus videretur? in medium dicuntur sententiae, a variis varia propitiationis media proponuntur. Una secundum Deum, in ore est omnium: Diva orbis et ordinis nominatim Patrona Deique Mater Maria, hanc et omnia apud Deum per Filium posse, et hunc miseris demereri mortalibus facile solere Matrem misericordiae memorant. Quamobrem unus fit omnium sermo de Fraternitate Rosarii a S. Dominico instituta et a suis posteris culta, restauranda: itaque quaeritur; placetne hic Coloniae renovare fraternitatem Rosarii? Placet singulis. Sed quo ritu, quibus legibus, id vero nondum inter omnes conveniebat, nihil enim inventum simul et perfectum.

Ergo venerabilis Prior Sprengerus re singulorum in preces commendata, simul dato Consultoribus negotio—cogitarent serio quod in rem fore videretur, ipse prae caeteris sollicitius dum in ardentiorum conjectus longioreque orationem instaret perseverantius, ecce Beatissima Virgo Maria illi se videndam exhibuit, et praecepit ut in concionibus suis populos, quae et qualia hoc orandi modo Deo offerentur, edoceret: quod et ipse humiliter et devote concepit et spondit. Itaque venerabilis Pater in crebris concionibus in Praedicatorum templo ad frequentem populum Rosarium praedicat: Fraternitatem instituit ac publicat: Formulam instituti explicat: inque propatulo legendam omnibus, ac de plano cognoscendam exponit. Aram Fraternitati assignat eam quae ex navi templi chorum ingredientibus astat dextera. Huc pictam in tabella Deiparae Patronae imaginem proponit signum ac monumentum Fraternitatis. Credidisses asylum apertum fuisse; tantus erat mortalium utriusque sexus, omnis aetatis omnis ordinis et conditionis confluxus, nomina dare Fraternitatemque profiteri poscentium. Hic supplicationes, hic processiones, hic Marianae caeterorumque caelitem litaniae fiunt: hic votiva solemnique sacra frequentantur: cuncta haec contigere anno millesimo quadringentesimo septuagesimo quarto, mense Sextili sub festum Nativitatis almae Mariae, quando Novesium Carolinae copiae jam obsidione premebant, tertio mense ante quam Imperator Fridericus tertius Imperii cum principibus et exercitu Andermatum adveniret.

Sed non minus R. Pater Jacobus Sprengerus novellae Fraternitatis urgebat institutum usque dum vicesimo Maii sequentis anni industria Legati Apostolici Carolus persuaderetur in oblatas sibi pacis condiciones convenire. Id quod Imperatori, proceribus Imperii, senatui populoque Coloniensi, tam insperatum quam exoptatum accidebat. Toties irrito conatu jam ante fuerat tentata compositio. Tam obstinatum Carolei animum contra omnes pacis condiciones admittendas obfirmaret, in tam arctum res Novesianas and Caesareas adduxerat. Nemo fuit qui illam

constitutae pacis gloriam non uni Deo totam referret acceptam. Secundum Deum vero proxima erat pene omnium in animis Deipara, admiratioque de Fraternitate Rosarii, et major in dies ad eam fiebat accessio. Non deerant tamen Zoily qui Fraternitatem traducerent, contra quod a P. M. Michaele de Insulis publice in scholis defensa et propugnata summo omnium consensu a Theologica Facultate recipitur, institutumque ejus approbatur.

Interea pius et pacificus Fridericus tertius cum sacri imperii Electoribus quatuor caeterisque Proceribus, firmandae pacis aliisque gravissimis intentis negotiis, Coloniae subsistit. De pace ex improvise facta laetus, et Deo Deiparaeque multum gratus, Fraternitatis pietatem ac meritum, Rosarii vim & efficaciam suspicere & evehere laudibus suis nequibat: nec se cohibere quin ipse quoque in eam Fraternitatem caeterique Principes inscribi solemniter exposcerent. Interim Nuncius Apostolicus dat negotium ut signum Dei Genetricis Mariae, justae altitudinis humanae, ab exquisita sculperetur arte, in ara Virginis collocandum. Mandat capsam statuae capacem binis cum aëis quibus clauderetur scite et insigniter sic depingi, ut rei gestae loqueretur conservaretque memoriam. Quae dum parantur menses cedunt quatuor, et res imperii tractatae succedunt feliciter.

Jamque dies erat dicta, nimirum Nativitati B. V. Mariae sacra: qua privatim uno abinde anno caepa institutaque fraternitas sacra et publica auctoritate, festiva solemnitate et memoranda posteris majestate celebraretur. Dies adest et caetera parata omnia: procedit D. Imperator Augustus cum summis Romani Imperii principibus caeterisque Dynastis. Ergo Legatum Apostolicum et Imperatorem Fredericum sequebatur Adolphus Archiepiscopus et Elector Moguntinus, Joannes Archiepiscopus et Elector Trevirensis, Gulielmus episcopus Auracensis, Henricus episcopus Monasteriensis, Episcopus Spirensis, Vangionum, caeterique plures. Albertus Dux et Elector Saxoniae, Albertus Dux et Elector Brandenburgensis, Sigismundus Dux Austriae, Ludovicus Dux Bavariae a Spanheim, Ernestus Dux, Henricus Landgravius Hessiae frater Hermannii Archiepiscopi Coloniensis inviati conservatoris et herois Novesiani, Christophorus Marckgravius Badensis, et caeteri Comites plures quinquaginta. Haec M. S. Convenius Coloniensis: qui praeterea summorum, medioximorum, infimorum nomina recitat paene innumera, Illustrium, Reverendissimorum, Generosorum, Venerabilium, Nobilium, Religiosorum, Militum, Doctorum, Consulium, Civium, omnisque sexus aetatis ac conditionis mortalium.

Postquam igitur ventum in Praedicatorum esset Ecclesiam: primum Reverendissimus Nuntius Apostolicus collocatam Deiparae Virginis Mariae statuam solemniter consecrat, deinde aram ipsam Gloriosissimae V. M. ut inelytae singularique Patronae Fraternitatis Rosarii dicat dedicatque. Quo peracto in Fraternitatem actum auspiciatur a se ipso, nomenque suum dat eidem inscribendum. Imperator quoque seipsum inscribit, nec solum sed augustam suam Conjugem Leonoram, et serenissimum filium, postea in imperio patris successorem Maximilianum. Trium horum nomina ab eadem scripta sunt manu Imperatoria. Sequuntur Electorum ac Principum nomina singula manu exarata alia atque alia. Inscriptionem exceptit Sacrificii Missae in pontificalibus a Legato rite peracta celebratio: patris ordine sacris, Imperator ad Nuncium Apostolicum conversus petivit nomine

totius confraternitatis praesentium et absentium, auctoritate eam Apostolica datis desuper litteris solemniter approbari. Quod et fecit Legatus, uti testatur Leo decimus in bulla Pastoris Aeterni: ad preces clarae memoriae Friderici Tertii Romani Imperatoris Auctoritate Apostolica approbavit Alexander Legatus, etc.

Picturam quoque rei gestae testem haud praeteribo. Cernas in arae Virginis extrema parte collectae id temporis effigiem fraternitatis talem. Picta visitur alma Virgo coronata caput, et ecclesiasticorum hinc, inde laicorum quasi innumeris utriusque sexus stipata capitibus. Hos omnes cum rosariis in manibus geniculantes, suo Regina sub expanso clauso pallio, vultu ad ipsos benignissime verso, quasi in oculis fert ac protegit; simul hac et hac precarias eis porrigit coronas. Quae insigniores almam cingere matrem visuntur personae; sunt a dexteris S. Dominicus, a laeva S. Petrus Martyr, Mediolanensis, adstantes, patronaeque communis extantum pallium sustinentes. Sub dextere pallii tensam genibus advolutus adest precabunde Pontifex Sixtus IV, pone Legatus suus Alexander, Elector Episcopus sequitur: adstat clericus, tum Dominicanus, demum Clericorum, Monachorum, Monialiumque promiscua turba. Sinistrum Divae latus claudit, primo Imperator Fridericus III. cum Leonora Imperatrice Augustoque Filio Maximiliano I. Inde quasi Princeps Elector, post clari obscurique viri foeminaeque sine numero, sine nomine vulgus. Quos omnes cum advocata clientes una ambiens quinarum decadum Rosarii corona claudit. Videas denique altum per inane volantes angelicos vultus: in summo SS. Trinitatem gloriose radiatam ac Patri Filioque medium S. Spiritum radios superne fundentem in subjectam Fraternitatem: Haec effigata pictura certissima institutae Fraternitatis testis cernitur.

Atque ipsa Sodalitas usque in hodiernum tanto fidelium accursu florescit ut anno 1642 cum Hassorum et Gallorum per Coloniensem agrum longe lateque grassaretur, jamque Novesium occupasset, Serenissimus Princeps Elector Ferdinandus, &c., una cum Serenissimo Principe coadjutore, necnon Principe Osnabrugensi ad consuetum misericordiae Asylum confugiens se non solum propria manu inscripsit, verum etiam publicas supplicationes instituerit: et devotionis promovendae ergo, ipso Annuntiatæ Virginis festo, insignem Annuntiationis Virginis iconem illam miraculosae Florentinae imaginis exemplar, venerabundo populo in Praedicatorum aede exposuerit. Nec sane antiquum defuit miraculum: nam (quod aliqui observarunt) sicut mare perrupto semel aggere integros obruit campos atque regiones. ita exercitus victoria et furore clarior solet per milliaria et parasangas prorucere et occupare provincias, sed posteaquam haec imago populi devotionem resuscitavit, veluti objecto muro, qui sisteret inimici tumentes fluctus, non modo nihil ulterius occupavit, verum etiam ante Lechniacense oppidum non sine clade retusus et repulsus est. Atque hunc in modum floret ad praesens tempus alma SS. Rosarii Archiconfraternitas ex cujus sinu anno 1642 hic Coloniae insignis illa per Italiam, Franciam, et Hispaniam, propagata 'Devotio Rosarii perpetui in agonizantium consolationem' instituta prodiit, et Praedicatorum industria propagatur et procul diffunditur. Devotionis hujus hic finis est, ut totius anni horis omnibus per fideles distributis nunquam a laude divina cessetur, ac semper animam

agentium causa apud Deum agatur : hinc per singulas horas Psalterianum Marianum persolvitur, inde Rosarii perpetui nomen habet. Nolo ergo hic hujus devotionis praestantiam imo et necessitatem multis prosequi : cum quilibet qui hostis antiqui versutias ac quam hoc ultimum vitae momentum sit arduum nobis, facile aestimare possit.

A few remarks may be made on some things contained in this passage. It is referred to by Échard in his article on James Sprenger (SS. O.P. ; ii. 880, 881), a fact which shows that it possesses considerable authority. As we shall presently see, Gelenius does give valuable information on several important subjects, though at the same time respecting some matters of comparatively small moment he falls into error. For instance, as regards Alan Roche he knows all the essentials of history, but not all the accidentals. He makes little mistakes in chronology.

Also it is inaccurate to say that the Rosary Confraternity in Cologne was an Archeconfraternity. But as Father Esser (*Unserer lieben Frauen Rosenkranz*, page 292) explains, the custom of calling Rosary Confraternities, in respect of all other Confraternities. Archeconfraternities, was common in Germany from about the beginning of the seventeenth century ; so Gelenius may have conformed to popular usage, knowledge of canon law notwithstanding.

REGINALD WALSH.

[To be continued.]

DOCUMENTS

APOSTOLIC CONSTITUTION ON THE LITURGY, GREGORIAN CHANT, AND SACRED MUSIC

(December 20, 1928)

CONSTITUTIO APOSTOLICA

DE LITURGIA DEQUE CANTU GREGORIANO ET MUSICA SACRA COTIDIE

MAGIS PROVEHENDIS

PIUS EPISCOPUS

SERVUS SERVORUM DEI

AD PERPETUAM REI MEMORIAM

Divini cultus sanctitatem tuendi cum Ecclesia a Conditore Christo munus acceperit, eiusdem est profecto, salva quidem Sacrificii et sacramentorum substantia, ea praecipere—caerimonias nempe, ritus, formulas, preces, cantum—quibus ministerium illud augustum et publicum optime regatur, cuius peculiare nomen est *Liturgia*, quasi actio sacra praecellenter. Atque res utique sacra est liturgia; per eam enim ad Deum evehimur ipsique coniungimur, fidem nostram testamur nosque gravissimo ei obligamur officio ob accepta beneficia et auxilia, quibus perpetuo indigemus. Hinc intima quaedam necessitudo inter dogma et liturgiam sacram, itemque inter cultum christianum et populi sanctificationem. Quapropter Caelestinus I fidei canonem expressum esse censebat in venerandis liturgiae formulis; ait enim: '*legem credendi lex statuat supplicandi. Cum enim sanctorum plebium praesules mandata sibimet legatione jungantur, apud divinam clementiam humani generis agunt causam, et tota secum Ecclesia congemiscente postulant et precantur.*'¹

Quae communes supplicationes primum *opus Dei*, deinde *officium divinum* appellatae, quasi debitum cotidie Deo solvendum, noctu dieque olim fiebant, magna quidem christianorum frequentia. Ac mirum quantum iam inde ab ipsa antiquitate temporum ingenuae illae cantilinae, quae, sacras preces actionemque liturgicam exornabant, ad fovendam in populo pietatem contulerunt. Namque in veteribus praesertim basilicis, ubi episcopus, clerus populusque divinas laudes alterne concinebant, non parum liturgici cantus eo valere ut plurimi ex barbaris ad christianum civilemque cultum, historia teste, adducerentur. In templis catholicae rei oppugnatores altius sanctorum communionis dogma didicerunt; quamobrem Valens imperator, arianus, prae divini mysterii maiestate, a S. Basilio peracti, stupore quodam insolito correptus, animo deficiebat; ac Mediolani S. Ambrosius ab haereticis arguebatur se turbas liturgicis cantibus fascinare, quibus quidem pereulsus Augustinus consilium

¹ *Epist. ad episcopos Galliarum, Patrol. Lat., L. 535.*

cepit Christi fidem amplectendi. In ecclesiis deinde, ubi ex tota fere civitate chorus ingens fiebat, opifices, aedium fabri, pictores, sculptores, litterarum ipsi studiosi, per liturgiam ea theologiarum rerum cognitione imbuebantur, quae hodie ex illius aetatis mediae monumentis tantopere elucet.

Ex his intelligitur cur Romani Pontifices tantam adhibuerint sollicitudinem in liturgia tutanda et custodienda; et quemadmodum tam multa erat eis cura in dogmate aptis verbis exprimendo, ita liturgiae sacrae leges ordinare, tueri et ab omni adulteratione praeservare studuerint. Itemque patet cur Sancti Patres liturgiam sacram (seu *supplicandi legem*) verbis scriptisque commentati sint; et Tridentinum Concilium voluerit eam esse christiano populo exponendam et explicandam.

Quod vero ad nostra haec tempora attinet, Pius X, abhinc annos xxv, in praescriptionibus illis *Motu Proprio* promulgandis, quae ad cantum gregorianum et musicam sacram pertinent, hoc in primis sibi proposuit ut scilicet christianum spiritum in populis excitaret et aleret, ea sapienter removendo quae templi sanctitudinem maiestatemque dedecерent. Etenim ob eam causam ad aedes sacras fideles conveniunt ut pietatem inde, tanquam ex praecipuo fonte, hauriant, veneranda Ecclesiae mysteria ac publicas sollemnesque preces actuose participando. Permagis igitur interest quidquid est liturgiae ornamentum normis quibusdam praeceptisque Ecclesiae contineri, ut artes reapse, velut par est, quasi ancillae nobilissimae divino cultui inserviant; quod quidem nedum in detrimentum, in maiorem potius dignitatem splendoremque ipsarum artium quae in sacris locis adhibentur certe cedet. Idque mirum sane in modum in musica sacra effectum est: ubicumque enim praescriptiones illae diligenter sunt in usum deductae, ibidem cum lectissimae artis venustates reviviscere, tum religiosi spiritus late florere coeperunt; propterea quod populus christianus, liturgico sensu altius imbutus, et eucharisticum ritum et psalmodiam sacram et supplicationes publicas participare impensius consuevit. Quod Nos quidem ipsi tum iucunde experti sumus, cum, primo Pontificatus Nostri anno, ingens clericorum chorus ex omni natione liturgiam sollemnem, quam in Vaticana Basilica celebravimus, gregoriano cantu nobilitavit.

Iam vero dolendum hic est quibusdam in locis eas leges sapientissimas plene non fuisse in usum deductas; ideoque optatos fructus inde perceptos non esse. Namque probe novimus vel dictitasse aliquos se eis legibus non teneri quae tam sollemniter edictae fuerant; vel nonnullos, primum quidem iisdem paruisse, sed pedetentim ei musicae generi indulsisse quod est omnino a templis arcendum; vel denique alicubi, cum praesertim saecularia sollemnia in memoriam celebrarentur musicorum illustrium, causam inde quaesitam esse quaedam opera in templo exsequendi quae, quamvis praeclara, cum sacri loci et liturgiae sanctitati non congruerent, in ecclesiis nequaquam erant adhibenda.

At tamen, quo clerus populusque eis legibus et praescriptionibus, quae, sancte, inviolateque in Ecclesia universa servandae sunt, religiosus pareat, nonnulla haec adiicere placet, quae nempe hoc xxv annorum spatio experiendo didicimus. Idque eo libentius Nos facimus quod hoc

anno non solum musicae sacrae restorationis, quam diximus, recordatio, sed etiam memoria monachi illius Guidonis Arretini celebrata est; qui, cum circiter abhinc annos nongentos, Romani Pontificis iussu, in Urbem venisset, ingeniosum illud suum inventum protulit, quo liturgici cantus, iam inde ab antiquitate traditi, et facilius evulgarentur, et, ad Ecclesiae artisque ipsius utilitatem ac decus, integre servarentur in posterum. In Lateranis aedibus, ubi antea S. Gregorius Magnus, monodiae sacrae thesauro—hereditate quidem monumentoque Patrum—collecto, digesto et aucto, *Scholam* illam percelebrem, ad veram liturgicorum cantuum interpretationem perpetuandam, tam sapienter constituerat, Guido monachus experimentum egit mirifici sui inventi, coram romano clero ipsoque Pontifice Maximo; qui, rem eximie probando meritaque laude prosequendo, hoc effecit ut eadem innovatio longe lateque paulatim propagaretur, atque omne musicae artis genus magnum inde caperet incrementum.

Omnibus igitur Episcopis atque Ordinariis, quibus quidem, cum sint liturgiae custodes, de sacris artibus in ecclesiis cura esse debet, nonnulla hic Nos commendare volumus, quasi optatis respondentes, quae ex tot musicis congressionibus, praecipueque ex recentiore conventu, Romae habito, Nobis significarunt non pauci sacri Pastores ac studiosissimi rei huius praecones, quos omnes merita hic laude honestamus; eademque, ut infra, efficacioribus viis rationibusque propositis, ad effectum deduci iubemus.

I. Quicumque sacerdotio initiari cupiunt, non modo in Seminariis sed etiam in religiosorum domibus, iam inde a prima aetate cantu gregoriano et musica sacra imbuantur; propterea quod facilius tum ea perdiscunt, quae ad modulationes sonosque pertinent; et vocis vitia, si fortasse habeant, eradicare vel saltem corrigere queunt, quibus quidem postea, adultiores aetate, mederi prorsus non possent. Ab ipsis primordiorum scholis institutio cantus et musicae incipienda est, ac deinde in gymnasio et lycaeo continuanda; ita enim qui sacros ordines susceperunt sunt, cum iam cantus periti sensim sine sensu facti sint, in theologiarum studiorum curriculo, sine ullo quidem labore ac difficultate, altiore illa disciplina instituti poterunt quam verissime *aestheticam* dixeris monodiae gregorianae ac musicae artis, polyphoniae atque organi, quamque clerum pernoscere omnino decet.

II. Esto igitur in Seminariis ceterisque studiorum domiciliis, utrique clero recte conformando, brevis quidem sed frequens ac paene cotidiana cantus gregoriani et musicae sacrae lectio vel exercitatio; quae si liturgico spiritu peragatur, solatium potius quam onus, post severiorum disciplinarum studium, alumnorum animis afferet. Auctior ita pleniorque utriusque cleri in liturgica musica institutio id certe efficiet ut ad dignitatem priscam splendoremque *chorale officium* restituatur, quod pars est divini cultus praecipua; itemque ut *scholae* et *capellae musicorum*, quas vocant, ad veterem gloriam revocentur.

III. Quicumque in *basilicis aedibusque cathedralibus, collegiatis et conventualibus religiosorum* cultum moderantur et exercent, iidem totis viribus contendant ut rite, id est ad Ecclesiae praescripta, *chorale officium*

instauretur; neque id solum quod ad commune praeceptum spectat divini officii peragendi *digne* semper, *attente* ac *devote*, sed etiam quantum ad canendi artem attinet; in psallendo enim, et iusta tonorum ratio curanda est una cum mediis suis numeris clausulisque ad sonum exquisitis, et congruens ad asteriscum mora, et plena denique concordia illa in psalmodicis versiculis hymnorumque strophis conclamandis. Quae si egregie efficiantur, omnes rite psallentes, cum suorum animorum in adorando Deo unitatem mirifice ostendant, tum, in moderata duarum chori partium vice, sempiternam illam Seraphim laudem, qui clamabant alter ad alterum: *Sanctus, Sanctus. Sanctus* aemulari videntur.

IV. Ne quis autem in posterum faciles excusationes praetexat ut ab officio Ecclesiae legibus parendi liberatum se existimet, ordines canonicorum omnes ac religiosae eadem communitates de his rebus in statis coetibus agant; et quemadmodum olim *cantor* erat seu *rector chori*, ita in posterum in canonicorum et religiosorum choris aliquis eligatur peritus, qui cum liturgiae cantusque choralis normas in usum deducendas curet, tum singulorum vel chori universi vitiae mendet. Quo in genere praetereundum non est, ex veteri constantique Ecclesiae disciplina atque ex ipsis capitularibus constitutionibus quae adhuc vigent, quotquot ad chorale officium tenentur, eos omnes saltem cantum gregorianum rite pernoscere oportere. Cantus vero gregorianus, in ecclesiis omnibus cuiusvis ordinis adhibendus, is est qui ad veteris codicum fidem restitutus, ab Ecclesia in editione authentica, vaticanis typis, iam propositus est.

V. *Capellas* etiam *musicorum* iis omnibus ad quos spectat commendatas hic volumus, utpote quae, decursu temporum, in antiquarum *scholarum* locum suffectae, eo pacto in basilicis maioribusque templis constitutae sint ut polyphonicam praecipue musicam ibidem efficerent. Quam quidem ad rem, merito *polyphonia* sacra post gregorianum cantum altero loco haberi solet: ideoque vehementer Nos cupimus ut *capellae* huiusmodi, quemadmodum a saeculo XIV ad saeculum XVI floruerunt, ita hodie illic maxime renoveantur ac revirescant ubi divini cultus frequentia et amplitudo maiorem cantorum numerum exquisitioremque eorum delectum postulant.

VI. *Scholae puerorum*, non modo apud maiora templa et cathedrales, sed etiam penes minores et parociales aedes excitentur; pueri autem a *capellarum* magistris ad recte canendum instituantur ut ipsorum voces, iuxta veterem Ecclesiae morem, virorum choris sese adiungant, maxime cum in polyphonica musica, ut olim, adhibendae sint pro suprema voce, quae *cantus* appellari consuevit. Ex eorum numero, saeculo praesertim XVI, polyphoniae auctores pertissimi, uti est compertum, prodire, quos inter omnium facile princeps Ioannes ille Petrus Aloisius Praenestinus.

VII. Quoniam vero didicimus tentari alicubi ut quoddam musicae genus resumatur, sacerorum officiorum perfuntioni haud omnino congruens, praesertim ob immoderatiorem instrumentorum usum, Nos quidem hic profitemur cantum cum symphonia coniunctum nullo modo ab Ecclesia tamquam perfectiorem musicae formam rebusque sacris aptiorem haberi; etenim magis quam instrumenta, vocem ipsam in sacris aedibus resonare decet: vocem nempe cleri, cantorum, populi. Neque est autem

putandum incremento musicae artis Ecclesiam obsistere, quod instrumento cuilibet humanam vocem anteponat; siquidem nullum instrumentum, quamvis eximium atque perfectum, in exprimendis animi sensibus humanam vocem superare potest, tum maxime cum ipse animus ea utitur ut preces et laudes ad omnipotentem Deum extollat.

VIII. Est quidem Ecclesiae proprium musicum instrumentum a maioribus traditum, *organum*, ut aiunt; quod, ob miram quandam granditatem maiestatemque, dignum habitum est ut cum liturgicis ritibus coniungeretur, sive cantum comitando, sive, silente choro, ad praescripta, harmonias suavissimas eliciendo. At vero in hoc etiam illa vitanda est sacri et profani permixtio, quae causa cum fabrorum qui organa faciunt, tum modulatorum quorundam qui novissimae musicae potentis indulgent, huc demum evaderet ut de ipso ad quem destinatur fine mirificum hoc instrumentum deflecteret. Equidem ad liturgiae normas Nosmet ipsi optamus ut quaecumque ad organum spectant nova semper incrementa capiant; sed temperare Nobis non possumus quin conqueramur quod, uti olim aliis musicae formis quas merito Ecclesia prohibuit, ita hodie novissimis sane formis tentetur ut in templum profani spiritus invehantur; quas quidem formas, si gliscere inciperent, facere non posset Ecclesia quin omnino damnaret. Personent in templis tantum organi concentus qui maiestatem loci referant ac rituum sanctitudinem redoleant; hoc enim pacto ars tum fabrorum in construendis organis, tum musicorum in eisdem adhibendis, revirescet ad liturgiae sacrae efficaciam adiumentum.

IX. Quo autem actuosius fideles divinum cultum participant, cantus gregorianus, in iis quae ad populum spectant, in usum populi restituatur. Ac revera perneccesse est ut fideles, non tamquam extranei vel muti spectatores, sed penitus liturgiae pulehritudine affecti, sic caerimoniis sacris intersint—tum etiam cum pompae seu processiones, quas voeant, instructo cleri ac sodalitatum agmine, aguntur—ut vocem suam sacerdotis vel scholae vocibus, ad praescriptas normas, alternent; quod si auspiciato contingat, iam non illud eveniet ut populus aut nequaquam, aut levi quodam demissoque murmure communibus precibus, liturgica vulgarive lingua propositis, vix respondeat.

X. In hoc utriusque cleri industria desudet, praecuntibus quidem Episcopis et locorum Ordinariis, ut, per se vel per alios rei peritos, liturgicam musicamque populi institutionem curent. utpote cum doctrina musicamque populi institutionem curent, utpote cum doctrina christiana coniunctam. Quod quidem facilius efficietur scholas praecipue, pia sodalicia ceterasque consociationes liturgicis cantibus instruendo; religiosorum autem, sotorum ac piarum feminarum communitates alacres sint ad hunc finem assequendum in variis institutis quae sibi ad educandum et erudiendum concredita sunt. Itemque valde ad hanc rem valituras esse confidimus eas societates quae in nonnullis regionibus, ecclesiasticis auctoritatibus obsequentes, musicam sacram ad Ecclesiae leges restaurare contendunt.

XI. Ad haec omnia, quae sperantur, adipiscenda peritis magistris iisdemque frequentissimis omnino opus est. Quo in genere, Scholis

et Institutis illis, passim per catholicum orbem conditis, debitas laudes tribuimus; siquidem disciplinas huiusmodi diligenter docendo, praeceptores optimos idoneosque effingunt. Sed maxime memorare hoc loco ac dilaudare placet *Pontificiam Scholam musicae sacrae altius tradendae*, quae inde ab anno MCMX in Urbe a Pio X constituta est. Hanc Scholam, quam deinde proximus decessor Noster Benedictus XV studiose provexit novaque sede donavit. Nos quoque peculiari quodam favore prosequimur, tamquam pretiosa Nobis hereditate a duobus Pontificibus relicta, eandemque ideo Ordinariis omnibus magnopere commendatam volumus.

Equidem probe novimus ea omnia, quae supra mandavimus, quantum studii postulant ac laboris. At vero quis ignorat quam multa opera quamque magno artificio confecta, nullis devicti difficultatibus, maiores nostri posteritati tradiderint, utpote qui pietatis studio ac liturgiae spiritu imbuti essent? Neque id mirum: quidquid enim ab ipsa, quam Ecclesia vivit, interiore vita proficiscitur, mundi huius perfectissima quaeque transcendit. Difficultates coepti huius sanctissimi animos Ecclesiae Antistitum excitent atque erigant nedum infringant; qui voluntati Nostrae concorditer omnes constanterque obsequentes, operam navabunt Summo Episcopo episcopali suo munere dignissimam.

Haec edicimus, declaramus, sancimus, decernentes Apostolicam hanc Constitutionem firmam, validam et efficacem semper esse ac fore, suosque plenarios et integros effectus sortiri atque obtinere, contrariis quibusvis non obstantibus. Nulli igitur hominum liceat hanc Constitutionem a Nobis promulgatam infringere vel eidem temerario ausu contraire.

Datum Romae apud Sanctum Petrum, in quinquagesimo sacerdotii Nostri natali, die xx mensis Decembris anno MCMXXVIII, Pontificatus Nostri septimo.

FR. ANDREAS CARD. FRÜHWIRTH,
Cancellarius S. R. E.

CAMILLUS CARD. LAURENTI,
S. R. C. Pro Praefectus.

IOSEPHUS WILPERT,
Decanus Coll. Proton. Apostolicorum.

DOMINICUS SPOLVERINI,

Protonotarius Apostolicus.

Loco ✠ Plumbi.

COMMUNION OF THE SICK IN A HOSPITAL WHERE THE PATIENTS OCCUPY DISTINCT ROOMS

(January 9, 1929)

SACRA CONGREGATIO RITUUM

INSTRUCTIO

DE COMMUNIONE PLURIUM INFIRMORUM

Quo breviori et faciliori ratione sacra Communio pluribus infirmis ministrari valeat, Sacra Rituum Congregatio sequentem instructionem probari posse censuit; nimirum:

Quando sacra Communio distribuitur pluribus infirmis, qui in eadem

domo, vel in eodem hospitali, sed in distinctis cubiculis degant, Sacerdos vel Diaconus ministrans, in primo tantum cubiculo recitet plurali numero omnes preces ante infirmorum Communionem dicendas iuxta Rituale Romanum, Tit. IV, cap. 4; in aliis autem cubiculis dicat tantummodo preces: *Misereatur tui . . . Indulgentiam . . . Ecce Agnus Dei . . .*, semel *Domine non sum dignus . . . Accipe frater (soror) . . . vel Corpus Domini nostri Iesu Christi . . .*; et in ultimo cubiculo addat versum: *Dominus vobiscum*, cum suo responsorio et cum sequente oratione plurali numero dicenda: *Domine sancte . . .*, ibique, si qua particula consecrata superfuerit, benedictionem eucharisticam impertiatur, ac tandem reliquas preces praescriptas in Ecclesia de more persolvat.

Facta postmodum de his omnibus Sanctissimo Domino nostro Pio Papae XI per infrascriptum Cardinalem Sacrae Rituum Congregationi Pro Praefectum relatione, Sanctitas Sua praefatam instructionem ratam habuit et confirmavit; eamque pro opportunitate adhibendam benigne concessit. Contrariis non obstantibus quibuscumque.

Die 9 Ianuarii 1929.

C. CARD. LAURENTI, *S. R. C. Pro Praefectus*.

L. ✠ S.

ANGELUS MARIANI, *Secretarius*.

THE SACRED CONSISTORIAL CONGREGATION REPLIES TO A QUERY REGARDING THE MEMBERSHIP OF CLERICS IN ROTARY CLUBS

(February 4, 1929)

SACRA CONGREGATIO CONSISTORIALIS

DUBIUM

CIRCA MODUM SE GERENDI ORDINARIORUM ERGA CLERICOS QUOAD
SOCIETATES QUAE 'ROTARY CLUBS' INSCRIBUNTUR

Ab hac Sacra Congregatione Consistoriali non pauci sacrorum Antistites, pro sua pastoralis officii religione, exquisierunt: *An Ordinarii permittere possint clericis ut nomen dent Societatibus, hodiernis temporibus constitutis, quibus titulus 'Rotary Clubs,' vel ut earundem coetibus saltem intersint.*

Sacra autem haec Congregatio Consistorialis, re mature perpensa, respondendum censuit: *Non expedire.*

Datum Romae, ex aedibus Sacrae Congregationis Consistorialis, die 4 Februarii 1929.

C. CARD. PEROSI, *Secretarius*.

L. ✠ S.

✠ FR. RAPHAËL C., Archiep. Thessalonicen.,
Adessor.

**APOSTOLIC LETTER TO ALPHONSUS XIII, KING OF SPAIN,
REGARDING THE 'BULLA CRUCIATA'**

(August 15. 1928)

LITTERAE APOSTOLICAE

DE BULLA CRUCIATA

AD ALPHONSUM XIII

HISPANIARUM REGEM CATHOLICUM

PIUS PP. XI

Carissime in Christo Fili Noster, salutem et apostolicam benedictionem. —Providentia opportuna Decessores Nostri, omnibus rerum circumstantiis ac spiritualibus Hispaniarum populorum necessitatibus sedulo studio perspectis, *Bullam Cruciatam* iterum iterumque prorogarunt. Originem suam ipsa duxit Bulla Cruciatam ex Apostolicis Litteris, quas iam Hispaniarum Reges Catholici, Decessores Tui, ab hac Sancta Sede receperunt, cum, Christianitatis vindices defensoresque, teterrimis Mediae Aetatis temporibus, cum suis pugnabant infideles adversus, qui gravissimis periculis damnisque non modo Hispaniarum sed totius quoque Europae Christianos populos divexabant atque angebant. Hisce quidem rationibus urgentibus, Praedecessores Nostri plures gratias favoresque tum spirituales tum temporales Bulla Cruciatam eadem pro certo annorum spatio concessere illis ex hispanica ditione Christi fidelibus, qui vel ad bonum contra infideles certamen decertandum proficiscerentur, vel susceptas adversus eos aut suscipiendas militares expeditiones propriis sumptibus iuvandas curarent. Labentibus vero annis eum nulla amplius urgeret praeliandi contra infideles necessitas, elemosynas pro indultis lucrandis, per Bullam Cruciatam eandem concessis, conrogatas, in praestitutos usus pios ac praesertim in divini cultus splendorem augendum ipsi Nostri Praedecessores erogandas decrevere. Porro in sollemni de ecclesiasticis negotiis Conventione, quae cum Hispaniarum Regina Catholica die XVI m. Martii anno MDCCCLI inita, Litteris Apostolicis Nonis Septembribus confirmata fuit, articulo quadragesimo cautum est, ut in posterum ditionis Hispaniae intra fines Ordinarii Praesules in sua quisque dioecesi Bullae Cruciatae proventus administrent ad eos usus erogandos iuxta normam in ultima prorogatione Indulti Apostolici praescriptam, salvis obligationibus quibus iidem proventus, vi Conventionum cum Sancta hac Sede initarum, obnoxii sunt; in Conventione autem additionali die XXV m. Augusti inita anno MDCCCLIX expresse cautum fuit ut in posterum omnes Bullae Cruciatae proventus, salva eorundem parte Sanctae Sedi debita, ut superius, in divini cultus expensas exclusive impendi deberent. Quod vero attinet ad facultates Apostolicas officio Commissarii Generalis Bullae Cruciatae adnexas, et consequentes attributiones, in memorato sollemni Conventionis articulo quadragesimo statutum fuit, ut illae per Archiepiscopum Tolletanum ea forma atque amplitudine exerceantur, quas Sancta haec Sedes praefiniverit. Ipsa

quidem Bulla per Apostolicas Litteras die XXI m. Septembris an. MDCCCII Piscatoris annulo obsignatas, ad duodecim annos prorogata fuit a rec. mem. Leone Pp. XIII, finemque habuit prima Dominica Adventus anni MDCCCXIV. Eandem vero Bullam bo. me. Pius Pp. X ad annum dumtaxat produxit per Secretariae Status mandatum sub die XXIV m. Iunii ipsius anni MDCCCXIV; consilium enim mente susceperat Bullam enunciatae reformandi, ut magisillam praesentium temporum adiunctis respondentem redderet. Ipsius vero Pii Pp. X voluntatem ad exitum adduxit rec. mem. Decessor Noster Benedictus Pp. XV Litteris Apostolicis sub anulo die XII m. Augusti an. MDCCCXV datis, quibus Cruciatæ Bullam pro Hispaniarum Regno ad duodecim alios annos prorogavit a prima dominica Adventus eiusdem anni MDCCCXV computandos. At etiam in praesens ad ipsius Regni christifidelium bono satius consulendum aliae emendationes atque additamenta praesertim ob iuris canonici Codicis promulgationem in supra dicta Bulla Cruciatæ desiderabantur; ideoque schema eiusdem novum tum Sacrae Congregationi Consistoriali tum Sacrae Congregationi pro ecclesiasticis negotiis extraordinariis propositum est atque ab eisdem recognitum. Nunc autem, exhibitas Tuo nomine Nobis per Tuum apud Nos Legatum preces ultro libenterque excipientes, Cruciatæ Bullam, novo eiusdem textu recognito, pro Tuo Hispaniarum Regno, motuproprio atque ex certa scientia et matura deliberatione Nostris, deque Apostolicae Nostrae potestatis plenitudine praesentium Litterarum vi, ad duodecim annos prorogamus a prima dominica Adventus vertentis anni MDCCCXXVIII computandos. Circa vero ipsius Bullae publicationem, eiusdem indulta quoad indulgentias, divina officia et sepulturam, confessionem et votorum commutationem; dispensationem ab irregularitate et ab impedimento affinitatis et criminis; beneficiorum convalidationes et compositiones; legem abstinentiae et ieiunii; condiciones circa usum huius indulti; quoad denique privata oratoria, servari praecipimus religiose in omnibus conditiones legesque, quae in indiculo continentur, quod a memoratis Sacris Congregationibus adprobatur in Tabulario tertiae Sectionis Secretariae Nostrae Status a Brevibus Apostolicis asservari iussimus; cuius tenor sequens est: **INDULTA PONTIFICIA HISPANICAE NATIONI CONCESSA.** *Publicatio Indultorum eorumque usus.* Indulta, Hispanicae Nationi a Sancta Sede concessa, singulis annis publicanda sunt. Annus computatur a die antea factae publicationis, usque ad diem novae faciendae publicationis. *Summaria* sumpta a fidelibus pro eorum usu valent, durante toto praedicto anno. Indulta autem semper prorogari intelliguntur, pro maiore christifidelium commoditate, ad unum integrum mensem post annum expletum ab eorum publicatione. Indultis omnes fruuntur, qui in Hispaniarum territorio versantur, vel in alio quocumque Hispanicae ditioni subiecto territorio, si tamen *Summaria* sumant. Indulto vero quoad abstinentiae et ieiunii legem tum in Hispaniis tum extra Hispanias uti possunt, dummodo scandalum absit. Pro Indultorum licito validoque usu sufficit *Summaria* sumere. Subscribere in illis proprium nomen et cognomen necessarium non est; neque illa secum habere vel illa servare necessarium est. Taxa vel eleemosyna solvenda ad uniuscuiusque *Summarii* caleem

consignanda est. Christifideles autem sciant huiusmodi proventus ad divinum cultum sustinendum principaliter destinari, ad pia beneficentiae opera, ad ipsius Bullae Cruciatæ onera sustinenda. Horum indultorum exsecutor est dilectus filius Noster Cardinalis Archiepiscopus Toletanus, qui omnes ei tributas facultates singulis Ordinariis subdelegare potest.'

'*Indultum quoad Indulgentias.*—(1) *Plenaria* conceditur indulgentia, bis acquirenda intra annum Indulti, duobus distinctis diebus ad arbitrium eligendis, ex intentione præfatam lucrandi Indulgentiam, ab iis, qui, confessi, sacra Communione refecti fuerint, si possint, si vero non possint, dummodo id fecerint infra tempus præscriptum ab Ecclesia, prædicta habita intentione eandem acquirendi Indulgentiam. (2) Indulgentia conceditur *quindecim annorum* et *quindecim quadragenarum* iis, qui corde saltem contriti, voluntarie ieiunaverint quocumque ex diebus non consecratis ecclesiastico ieiunio, et aliquas vocales preces secundum Summi Pontificis intentionem effuderint. Prædictum ieiunium in aliud pium opus commutari potest, pro illis qui ieiunare non possunt, ab Ordinario, a paroco atque etiam a Confessario. Præterea prædicta peragentibus conceditur participatio omnium piorum operum, quæ diebus illis in Ecclesia militante fiant. (3) *Indulgentiæ Stationum Almæ Urbis*, in Rescripto S. C. Indulgentiarum die IX Iulii an. MDCCCLXXVII dato (cfr. Rescrip. Auth. Indulg. n. 313, p. 239) recensitæ, iis omnibus conceduntur qui aliquam ecclesiam vel publicum aut semipublicum Oratorium visitent, vocales fundendo preces secundum Summi Pontificis intentionem, addita tamen Confessione et Communione, si Indulgentia acquirenda plenaria sit. Quas Indulgentias duabus vicibus lucrari possunt illi omnes qui duo *Summaria* sumunt. Illi autem, qui ad Poenitentiae et Eucharistiæ sacramenta accedunt, possunt ea die, loco partialis Indulgentiæ, *Plenariam* Indulgentiam lucrari. (4) Ad normam can. 930 iuris canonici Codicis omnes præfatæ Indulgentiæ animabus in Purgatorio detentis applicabiles sunt. (5) Omnibus qui *Summarium* sumunt, si intra annum Indulti moriantur, Indulgentia *Plenaria* in articulo mortis conceditur, dummodo confessi ac Sacra Synaxi refecti, vel, si id nequiverint, saltem contriti. Sanctissimum Iesu nomen ore, si potuerint, sin minus corde, devote invocaverint, et mortem, tamquam peccati stipendium, de manu Domini patienter susceperint. Hæc Indulgentia animabus in Purgatorio detentis applicari nequit. (6) Si præterea christifideles Indulgentiam plenariam alicui defuncto applicare possunt si accepto *Summario*, condicionibus Confessionis et Communionis satisfecerint et pro eiusdem defuncti anima devote oraverint. Si vero, anno Bullæ Cruciatæ durante, duplex *Summarium* sumunt, iterum *Plenariam Indulgentiam* eidem defuncto vel diverso applicare poterunt.'

'*Indultum quoad divina officia et sepulturam.*—(1) Qui *Summarium* habent, possunt, tempore interdicti, cui causam ipsi non dederint, nec per ipsos stet quominus amoveatur, sive in ecclesiis, in quibus divina officia eo tempore permittantur, sive in privatis oratoriis rite erectis, Missas et alia divina officia vel per seipsos celebrare, si fuerint sacerdotes, vel facere ut in sua ac familiarium, domesticorum et consanguineorum præsentia celebrentur; sed clausis ianuis, non pulsatis campanis, excommunicatis

et specialiter interdictis exclusis; et, in oratorio privato, aliquot pro Sanctae Ecclesiae exaltatione precibus fuis. Itemque eisdem in locis sacram Eucharistiam et alia Sacramenta suscipere possunt. (2) Decedentium corpora, qui *Summarium* habeant, nisi forte excommunicationis vinculo per condemnatoriam vel declaratoriam sententiam innodati decesserint, eodem interdicti tempore, cum moderata funerali pompa sepeliri possunt. (3) Ecclesiastici omnes sive cleri saecularis, sive regularis, recitatis vesperis et completorio, matutinum cum laudibus officii dici sequentis pridie recitare immediate post meridiem libere possunt.'

'*Indultum quoad confessionem et votorum commutationem.*—(1) Conceditur ut omnes, etiam Regulares *utriusque sexus*, licet expressa et individua mentione digni et quovis efficaciore privilegio excepti, absolvi tantum in foro conscientiae possint, iniunctis de iure iniungendis, semel in vita seu extra mortis periculum, et semel in mortis periculo intra annum concessionis, vel bis in utroque casu si duplex *Summarium* sumatur, a quovis confessario sibi libere electo inter adprobatos (*pro utroque sexu*, si de monialibus et quibuslibet aliis mulieribus agatur) ab Ordinario loci, a peccatis et censuris cuiuscumque et quocumque modo, etiam speciali, non vero *specialissimo*, reservatis a iure vel ab homine, ita ut vi praesentis concessionis, de speciali gratia, sic absoluti deinde ad alium quemcumque Superiorem recurrere non teneantur. In hac concessione facultas quoque comprehenditur absolventi a casu falsae denuntiationis de crimine sollicitationis, de quo in canone 894 iuris canonici Codicis; sed confessarius electus a tali crimine non absolvat, nisi ad normam canonis 2363 ipsius Codicis. Quattuor vero censurae *specialissimo modo* Sedi Apostolicae reservatae ad normam tantum canonum 2252 et 2257 memorati Codicis absolvi poterunt. (2) Conceditur praeterea ut confessarius electus, ut supra, in solo conscientiae foro, etiam extra sacramentalem confessionem, possit omnia vota privata, in quibus ius quaesitum tertio non sit, atque exceptis votis perfectis castitatis perpetuae et religionis, post completum decimum octavum aetatis annum emissis, in alia pietatis opera dispensando commutare, iisque adiungendo aliquod subsidium transmittendum ad harum Litterarum Apostolicarum exsecutorem, atque in fines a Sancta Sede statutos adhibendum. Praesens Indultum non valet, nisi quis cum hoc Summario simul Indulti divinatorum officiorum et sepulturae *Summarium*, nec non Indulgentiarum *Summarium* sumat.'

'*Indultum quoad dispensationem ab irregularitate et ab impedimento affinitatis et criminis.*—(1) Exsecutor harum Litterarum Apostolicarum possit dispensare super irregularitate cum iis qui censuris ligati Missam celebraverint, vel alia divina Officia peregerint, non tamen in contemptum Clavium, et ex Ordinis non debiti exercitio ante susceptum Presbyteratum, nec non super irregularitate ex legitimorum natalium defectu, dummodo de adulterinis vel sacrilegis non agatur, ad effectum suscipiendi primam clericalem tonsuram et sacros Ordines usque ad Presbyteratum inclusive, et super alia qualibet irregularitate ex delicto proveniente, exceptis irregularitatibus ex homicidio voluntario, etiam occulto, aut ex apostasia a Fide, aut ex haeresi, vel ex alio delicto scandalum in populum generante, provenientes, et exceptis irregularitatibus ad Sanctum Officium

pertinentibus, imposita dispensatis consueta eleemosyna, in fines a Sancta Sede statutos impendenda, ceterisque iniunctis de iure iniungendis. (2) Possit idem Exsecutor harum Litterarum Apostolicarum dispensare ab impedimento *publicae honestatis in primo gradu* lineae rectae, nec non ab impedimento *publicae honestatis in secundo gradu* lineae rectae ex concubinato publico vel notorio, aut ex matrimonio invalido, ad incundum matrimonium, sive etiam ad initum matrimonium convalidandum, dummodo nullum subsit dubium quod alteruter contrahentium possit esse proles ab altero genita; imposita dispensatio aliqua eleemosyna ad fines a Sancta Sede statutos impendenda.

Idem dispensare possit (haec tamen facultas non erit publicanda in Summario) in occulto criminis impedimento, neutro machinante, sive ut supra ad incundum, sive ad initum matrimonium convalidandum, iniuncta eleemosyna ut superius indicatum est.

Indultum quoad beneficiorum convalidationes et quoad compositiones.—(1) Possit harum Litterarum Apostolicarum Exsecutor convalidationem concedere super titulo cuiuscunque ecclesiastici beneficii, si bona fide beneficiatus in illius possessionem immisus fuerit, excluso tamen casu quod collationis seu institutionis nullitas ex simonia proveniat. (2) Possit idem Exsecutor perceptos bona fide fructus remittere, in praecedenti casu, iniuncto tamen aliquo congruo subsidio ad finem a Sancta Sede statutum adhibendo. (3) Possit etiam Exsecutor ad congruam compositionem admittere beneficiatos omnes, qui ad restitutionem fructuum tenentur ob omissam Horarum canonicarum recitationem, vel ob neglectum aliud beneficii officium, exclusa tamen Missarum celebrandarum omissione. (4) Possit item Exsecutor admittere ad congruam compositionem omnes ob iniuste ablata, acquisita, quocumque modo retenta, quacumque causa, si tamen id in confidentiam Indulti factum non fuerit, et si adhibita debita diligentia incertus sit dominus vel reperiri nequeat. (5) In compositionis casu, ut in paragraphis tertio et quarto, quae solvantur in finem a Sancta Sede adsignatum impendenda sunt. Ubi autem admodum grave sit aliquid solvere, Exsecutor plenam debiti remissionem facere possit. Ceterum, quovis in casu, decimam quantitatis non bene acquisitae partem solvere sufficit. Ae si agatur de non notabili quantitate, quae nempe summam centum pesetarum non excedat, *compositio* plenum suum sortitur effectum, ipso facto sumendi *Bullas compositionis*, quin opus sit ad quempiam recurrere.

Nota bene. Nihil determinatur quoad quantitatem solvendam ratione compositionis, paragraphis (3) et (4) quia, eum in compositione respiciendum sit animarum bonum, et consequenter iudicium quantitatis solvendae a variis practicis circumstantiis pendeat, unde aliquando etiam, ut habetur paragrapho quinto totum sit simpliciter remittendum, praeter solutam pro *Summario* taxam, remittitur prudenti arbitrio, omnibus bene perpensis, determinatio quantitatis solvendae. Qua in re, ut patet ex dictis, scrupolose procedendum non est, et potius cum liberalitate quam cum rigore agendum est.

Indultum quoad legem abstinentiae et ieiunii.—(1) Omnibus absolute quacumque die et refectione lacticinia, ova et pisces comedere licet.

(2) Abstinētia a carne et a iure carnis servanda est tantum feriis sextis Quadragesimae, Quattuor Temporum, nec non tribus pervigiis Pentecostes, Assumptionis B. Mariae Virginis in eadum, Nativitatis D. N. Iesu Christi. (3) Ieiunium servandum tantum erit feriis quarta et sexta, nec non sabbatis Quadragesimae, et tribus pervigiis, praecedenti paragrapho secundo notatis. Pervigilium Nativitatis anticipatur ac remittitur ad sabbatum proxime praecedentium Quattuor Temporum. *Condiciones circa usum praecedentis Indulti.* Indulto paragrapho primo et secundo, integra manet lex ieiunii, seu uniceae comestionis per diem, pro illis qui ieiunare tenentur secundum paragraphum tertium. Eodem Indulto non fruuntur, nisi illi tantum qui sumpserint praesens *Summarium* et Indulgentiarum ac divinorum officiorum *Summaria* et solverint taxatam eleemosynam, quae in beneficium Seminariorum et alios pios fines a Sancta Sede adsignatos applicanda est. Indultum hoc sumi potest *Summario* colectivo pro se et tota familia extensive ad quoslibet familiares, hospites etiam ad brevissimum tempus et commensales. *Summarium* istud collectivum eosdem omnino effectus habet si a matre familias sumitur. Pauperes *Summaria* praedicta sumere non tenentur, nec ullam eleemosynam largiri, ut indulto fruantur quoad legem abstinētia et ieiunii. Tenentur vero si aliis Indultis frui velint. Omnino excluduntur ab Indulto eodem, quoad abstinētia legem, Regulares, qui, ex speciali voto, esuriales cibos toto anno servare tenentur.

Indultum de privatis oratoriis.—(1) Sacerdotibus conceditur facultas Missam celebrandi in quovis privato oratorio, canonice erecto atque adprobato ab ecclesiastica auctoritate, et quolibet die, excepto Maioris Hebdomadae ultimo triduo, quamvis aliae vel plures Missae ibidem ex Indulto celebrari queant et sine praerudicio eiusdem Indulti. (2) Laicis permittitur, dummodo Ordinarii locorum id necessarium vel vere utile censeant, ut in quovis privato oratorio, ut supra, Missam in sua praesentia celebrandam curare possint per quemcumque rite probatum sacerdotem, eidemque sacratissimo Sacrificio adsisendo praeecepto sacrum audiendi satisfacere queant.

Nota bene.—Varia Indultorum, quae facta est, distinctio est tantum ad varia Indulta proprio in loco et ordinate exponenda. Exsecutor Litterarum Apostolicarum poterit ipse, prout melius iudicabit, inde varia extrahere et conficere *Summaria*, plura vel pauciora, pro suo prudenti arbitrio. Quapropter possunt omnia praecedentia Indulta simul colligi in *Summario Cruciatas*, excepto Indulto abstinētia et ieiunii, quod separari ab aliis potest, illud substituendo *Indulto Quadragesimali* quod haecenus publicatum est.

Quae cum ita sint, volumus et mandamus ut Archiepiscopus Toletanus, utpote horum Indultorum Exsecutor eorundem *Summaria* typis edenda curet, eaque reliquis Ordinariis iuxta illorum postulationes distribuat. Propterea, Apostolica item Nostra auctoritate, concedimus ut idem Toletanus Archiepiscopus Exsecutor has Nostras Litteras in vernaculam linguam convertere, illasque et quae in illis continentur, sive *Summaria* aut indultorum ac facultatum compendia in quibuslibet Hispanicae ditionis locis, viva voce, seu scriptis aut per typos impressis

exemplis publicare atque enunciare queat. Christifideles vero ex utroque sexu, in Hispaniarum Regno et in locis civilii ipsius regni gubernio subiectis degentes, ut privilegiis, favoribus et gratiis supra dictae Bullae Cruciatæ participes fiant, enunciata Summaria accipere debebunt, et pro vario ipsorum gradu et condicione taxatam elemosynam persolvere. Tam Archiepiscopus Exsecutor, in archidioccesi Toletana, quam in respectiva sua diocesi unusquisque Praesul pro huiusmodi elemosynis colligendis idoneos sibi adiutores nec non depositarios, ratiocinatores aliosque similes Officiales deputare, et cum opportunis facultatibus constituere poterunt; Archiepiscopo autem Exsecutori fas sit ea omnia peragere, quae ipsi pro faciliore praesentium Litterarum Apostolicarum executione magis apta videantur.

Haec omnia et singula concedimus atque indulgemus, decernimus ac mandamus, non obstantibus Sanctae huius Sedis et Conciliorum quoque generalium constitutionibus et ordinationibus, ceterisque decretis qualibet forma editis, aliisque contrariis quibuslibet. Praesentium vero Litterarum Apostolicarum ad effectum quoad Indulgentias, praescriptionibus expresse derogamus quae in Motu proprio a rec. mem. Pio Papa X die VII m. Aprilis anno MDCCCXC, edito continentur. Volumus tandem ut harum Litterarum exemplis, sive transumptis, etiam per typos editis, manu alicuius notarii publici subscriptis, et sigillo personae in ecclesiastica dignitate constitutae munitis, eadem prorsus fides adhibeatur, quae voluntati Nostrae his ostensis Litteris haberetur.

Datum Romae, apud Sanctum Petrum, sub anulo Piscatoris, die XV m. Augusti, an MDCCCXXVIII, Pontificatus Nostri septimo.

P. CARD. GASPARRI, *a Secretis Status.*

REVIEWS AND NOTES

A COMPENDIUM OF CATECHETICAL INSTRUCTION. Edited by The Right Rev. Monsignor John Hagan, Rector, Irish College, Rome. Dublin: Browne & Nolan, Ltd. Price 52s. 6d. the set; single volumes, 15s. each.

It is generally taken that a catechism means an explanation for children in the form of question and answer of some elementary truths of faith and conduct. Historically, and in actual fact, there is much to be said for such a view. One of the first questions that was mooted at the Council of Trent in 1546 was the compilation of a catechism 'for children and uninstructed adults who need milk rather than solid food.' But the catechism that was published twenty years later, in 1566, was a very different thing. It was compiled by the foremost theologians of the time, and cast in a literary form by the best Latin scholars of the age; it was not an elementary manual for children and uninstructed adults, but a work for the guidance of pastors, covering the vast field of dogmatic and moral theology.

Its official title was *Catechismus ex decreto Concilii Tridentini ad Parochos, Pii V Pont. Max., jussu editus*. It had the support of the decree of a Plenary Council, and its publication was ordered by the Pope. It was 'an authoritative exposition of Catholic doctrine, given forth and guaranteed to be orthodox by the Catholic Church and her Supreme Head on earth.' Its teaching is not, of course, infallible, but it is a work of exceptional authority. Since its first publication innumerable diocesan and provincial synods have ordered or recommended its adoption, and many Popes have referred to it with the warmest approval. Leo XIII, in an Encyclical to the clergy of France in 1899, says: 'This catechism, remarkable for the richness and accuracy of its teaching and for the elegance of its style, is a precious compendium of all theology, dogmatic and moral.' It is not surprising that a work of such literary merit, so informing and bearing the stamp of such authority, should have gone through so many editions, and been translated into so many languages. In Ireland the edition in common use for many years was the translation by Dr. Donovan of Maynooth, first published in 1829, 'the style of which was extremely elegant and readable.'

But although it was so widely used, it did not become obligatory until 1905, when Pius X, in his Encyclical, *Acerbo nimis*, ordered pastors and those having care of souls to use the Catechism of the Council of Trent in their catechetical instructions to the faithful. The Pope added that the catechist's work is not merely to explain the truths of faith and morals, but to apply to the lives of the people the lessons they teach, to illustrate them from Sacred Scripture, Ecclesiastical History and the Lives of the Saints, and to exhort their flocks to practise them in their

daily avocations. To carry out faithfully the mind of the saintly Pontiff and to garner the full fruits of his wise legislation much was required. The present Rector of the Irish College, Rome, Monsignor Hagan, saw the needs of our clergy, and published a new translation in 1911. In his work he included, in addition to the Catechism of the Council of Trent, the larger Catechism of Pius X and a Course of Catechetical Instructions by Father Angelo Raineri, based on the Catechism of the Council of Trent. In translating the Roman Catechism his aim was to be absolutely faithful to the original, and at the same time to make the translation as clear, intelligible and readable, as possible. He introduces no change, except to drop the questions, which were not part of the original text, and to replace them by marginal notes; but he retains the numbers of the questions to facilitate reference. One other departure may be noted, a praiseworthy one, in the division of chapters into sections, headed by small capitals, and marked by Roman numerals; this division emphasizes the unity, logical development, and continuity of the treatment. In his presentation of Raineri's *Catechetical Instructions*, he allows himself more freedom, and introduces changes, sometimes even gives new matter, and a new treatment of questions, to make them more practical and popular, and more in harmony with modern theological thought. But for all practical purposes the translation is the same as the original *Catechetical Instructions* of Father Raineri, a course which still enjoys a wide popularity with the clergy on the Continent.

Monsignor Hagan's *opus* covers four substantial volumes: Vol. I. The Creed; Vol. II. The Sacraments; Vol. III. The Commandments; Vol. IV. On Prayer, The Virtues and Vices. These volumes embrace the whole range of theology. The method of procedure is to give in each chapter, first the Roman Catechism; then the corresponding portion of the Larger Catechism of Pius X; and finally Father Raineri's Instruction or Instructions, for sometimes the popular exposition of the particular Truth treated of in the Catechisms extends to a number of Instructions. This detailed and orderly treatment of all the principal truths of Catholic belief and practice makes it comparatively easy for pastors to carry out the instructions of Pius X to 'use the Catechism of the Council of Trent, arranging in such a way as to expound in the course of four or five years the whole subject of the Creed, the Sacraments, the Commandments, the Lord's Prayer, and the Precepts of the Church.' To render such a scheme still easier, Monsignor Hagan has drawn up a list of Catechetical Instructions, with full references for the Sundays of the Liturgical Year, assigning four different Instructions for each Sunday. There is an able Introduction, containing the history of the Roman Catechism, its origin, compilation and diffusion; an account of the Catechism of Pius X, a compendium of Christian doctrine suitable for children; and the story of Father Raineri's *Catechetical Instructions*, which, in the words of their first editor, are noted for 'soundness of doctrine, accuracy and precision of language, lucidity of thought, orderly arrangement of ideas, appropriate use of Scripture texts, steady flow of eloquence, side by side with a plain, sober, familiar style.' At the end

of Vol. IV there is an admirable Alphabetical Index, and this volume also contains six chapters on the Virtues and Vices—a subject that is not included formally in the Roman Catechism.

This *Compendium of Catechetical Instructions* is too well known to our clergy to require any detailed explanation of its scope, its purpose and its merits. It is really a work of inestimable value to all priests who are called on to give catechetical instructions. These four handsome volumes, well printed on good paper, strongly and artistically bound, reflect the highest credit on the Publishers. The need of this new edition is no less a compliment to the sound judgment of the clergy than it is to the foresight of Monsignor Hagan in providing them with such useful volumes. We heartily congratulate Monsignor Hagan on the continued success of his work.

D. M.

ἘΛΗΤΑ ΘΕ. ὕνα Νι Ὄζάμ το βασις ιαῶ; Ριοβαρτο Ὁ Θουβη το εὐρη
 comfennm ορζάμ leo; Μυντιμ Ἐ. Ὁ Παλλάμωμ τ'φοιλιρις.

Τά εαοι ανοιρ ας Σαζαητ Ἐρηεανν ἀρ εεοτ ἀ εὐρη τὰ πέμμ 'να ὄτεαμπυιτ,
 ἀ θεαρ ορηεαμνάε το ρειρβήρ Ὁε, αςυρ ἀ εὐρηρεαρ ερηεεαμ ὄμωμ
 μαορῶα να ρεαν-δοιρεανν ἰ μβυαν-εὐμῆνε τ'Ἐρηεανναίς ἀν λαε ιωῶι.
 Πάε μμμε ἀ εἰορημῶτ νά πυιτ ἀον ὄεατρηαμ λειρ να ὄάντα ὄιαῶα ἀ βῆορ
 τὰ ζεαυῶ αζαμν ἀρ ὄεαρηα. ἱρ ἀρ εἰζμ ἀτά ἀον τρηάετ ἀρ ἀον εεανν
 ἀεα, αςυρ τὰ ὄεαρηαἱ ἰ ζευο ἀεα ἀτά ζαν ὄρηζ. Ἐαρονόρη το ὄια αςυρ
 το ρηα Πλομῆ ἱρ εαῶ ἀ ὄφυρηῶορ, μμρη μβεαῶ ναε μαρ ρη ἀ τμζεαρ
 ὄον ὄρηεαμ ηεαμῆοηταε ἀ εαηαρ ιαῶ. Ἀε ἀον τρηαζαρη ἀ εὐρηεαρ ἀ
 τὰῶαετ ἀτά ρε, ἀν ζρηάμναετ ἀ ὄβηρητ ἀρ λάεαρ να ηατῶρηαε, αςυρ ερηεεαμ
 να ηζαεῶατ ὄ'αιῶεοῶαητ, αςυρ ἀτνεαετ να ρειρβήρη ἀ βυνῦ ζο ρεαρμῆαε,
 ηἱτ ἀον λειτρηεατ αἰζε μμρη ζευρηεανν ρε ἀορ ὄζ ἀ ὄαρηόρητε ἰ ρεἱῶ ἀν
 εεοιτ ρεο. Τάηο ας ροζλμν να ζαεῶητζε ἀρ ἀ ηῶἰεατ ρε λάεαρ, ἀε
 ἱρ ὄαοζλαε ναε μῶρη ἱρ ρῆῦ ευο μαιῶ το ρηα λεαβρηῶμ ἀ βῆορ ἀεα; ἀε
 ὄο-ὄεηρ λεαβαρ ὕνα Νι Ὄζάμ ρηζε ὄῶῶ εὐν ρεαβαιρ ἀ εὐρη ἀρ ἀ η-εοιυρ
 ηυα, αςυρ εὐν ρεαῶμα ἀ ὄαητ ἀρ ἰ ζεῶμῶρητ ἀῶρηα Ὁε.

Τά ὄάντα ἀν λεαβαιρ ρεο ευρηα ἰ η-εαζαρη λε ηαζεῶ ραηνα να βηαηα,
 αςυρ να λαεῶαητα ρεἱτε ἱρ μῶ. Νἱ μαρ ἀ εἶτε ἀ μβυαῶ, ἀε ἱρ ρεἱορη ἀ
 ρῆῶ ναε ρυαρηαε ἀον εεανν ἀεα. Νἱορ εὐμ Ἐρηορηαῶεαετ να ηἘρηεανν
 ἀον ὄρηαἰζετ ὄοβ υαηρηε νά να εεατρηαῶμ ἰ 'Ἐρηεαε ὄῶαρηαἰς,' αςυρ
 ἱρ ηαμρηαε ἀν εμηετ ἀ εὐρη ἀν Ἐρηαῶβῆν Ἀοἱβῆν ἀρη, ρα ηυα-ζαεῶητς. Ἐαῶ
 εἰ μαρ τῶζαητ ερηῶε ὄῶ ζεοἱρηῶ εἰ ὄῶ εαηαῶ ἀρ λά ρεἱτε ὄῶαρηαἰς, ἰ
 η-ηεαῶ ἀν ὄρηοτληαηαρ, ἱορη ροετλ αςυρ εεοτ, ἀ ταιρηεαρ ὄῶ ὄο ζηάε;
 ηἱορ μῶρη ἀν τ-ἱοηζαηταρ ὄῶ ὄεαρηῶεαῶ ετυαρ ὄῶῶαρ υαῶ, ρῆῦ ἀμῶμ
 ἀρ ηεαμ. Πάε μἱεῶ ὄῶην ροηη ἀ ὄεἱτ ορηαην εὐν λεαβρηα ἱν' Ἐρηαἰρη
 ηαρη λεαβαιρ ρε ρεἱν ροηη Ἐρηετ Ἐεαμρηαε ὄ'ἱοηηρηῶε :

Ἐρηορη ηοηυ ὄομ ὄῶεαη
 Ἀρ ηῶμ, ἀρ ἱορηαῶ,
 Ἀρ ὄῶαῶ, ἀρ ζοηαῶ,
 Ζο ὄρηαζαῶ ἀ λυαε λῶη-αοἱβῆν.

Τά ὄάντα ὁ ζαε ἀορη ρα λεαβαιρ ρο; εὐρηῶ ρεαρη ἀν Ἐρηεῶμ Ἐαηηεἱεῶε

i n-Éirinn ór cómaid ar rúl, ó slóir na hoctmaó haoiré go dtí laetanta na gÉir-teanámna—ásur na daingne do-élaoidte. Ásur ní móir dom moiaó pé leir a tabairt ar éirle veoraidé ó Šaeóitš na hÁlban, go móir móir d'áimhir a 57—'A Dia Deo'—na bfuil raoráiríse éainnte ásur sluaireáda i nólúit-éanagal le vóisrair šráda.

Maroir le ceol an leabair peo, baineann veacraédaí le tionlacan éeoir na Tuaité naé neaméormat leo rom a baineap leir an gCantain Šreágoramail. D'féoir go n-úráirfead an tionlacóir an iomarca do cómnare ruaitimpead an nua-éeeil, ná hoirfead i n-don éor do rrioparo an tpean-éeeil; nó d'féoir go peimpead pé dúinn éirra cómnódaí zur neamhrióšmar le tuet na nua-aoire iad, do veareaid a módaéda. Sam-luigteap dúinn zur feadain easaréoir na bponn ro an dá vóis rin, ásur go bfuil tionlacan doibinn poláirpuište aise dúinn, go bfuil rrioparo na pean-šopre 'na beacaid ann. Murab ionann ásur a lán easaréoirí Duanaíri Diaóa zuré oipeamnaise vóiré ceol harmonium nó pianó ná ceol oršáin, d'oirpúš an Or. Ó Duibir a éuro tionlacain i gcompreim leatá, an nór ir éireadéaige i gcomair feapair an oršáin.

Tá véanam an leabair peo go niamraé, ioir éúro ásur éúro; ásur ba éoir go méadoeáó pé eáit éurim líi loctainn ásur ceárvoráde na vÓtrí gCoimneal, eibé áit go mašáir pé.

Fairíoir go gcaitfeap a ráó 'na taob, ar éuma a lán peiribinni eite 'nar fás ušvair an tpeošáil an éuro doó feap do faibpeap a meadraé:

Ní maireann an lán do peiríob.

Deannaét Dé le hanam úna líi óšáin.

p. ve b.

L'IDÉE DU SACRIFICE DE LA MESSE D'APRÈS LES THEOLOGIENS DEPUIS L'ORIGINE JUSQU'À NOS JOURS. Par M. Lepin, Professeur au Grand Seminaire de Lyons. Paris: Gabriel Beauchesne.

It has been defined by the Council of Trent that the Mass is a true and proper sacrifice. But the Council did not define what it is that constitutes the essence of sacrifice, and where the constituent element is to be found in the Mass. On these questions there is no authentic infallible decision; there is only the teaching of theologians. Although three centuries have passed since the deliberations of Trent, and a number of illustrious divines have arisen to adorn the Church with their learning, no solution of these questions has been worked out which has received general support. We are confronted with a number of theories, none of them impossible or improbable, none without the support of a great name, a Suarez, De Lugo, Bossuet or Billot. The situation is not one to be accepted with mute resignation. M. Lepin has set himself to prepare the way for the eventual solution by drawing up a complete inventory, at once logical and historical, of all the opinions that have found currency, supplying in the case of each an analysis of the reasons and arguments advanced, and of the criticisms answered. The object of this undertaking is not merely to provide a study of the development of theological opinion: it is to discover the direction in which the great

current of Christian thought moves. M. Lepin summons, as it were, a plenary assembly, a general council of theologians of all ages, in the hope that, from the comparison of opinions, the view of a majority may be found in the clarifying light of history. Up to the present each theory of the Mass has been considered out of relation with the great mass of tradition, and the trend of development along which it was carried.

The task which M. Lepin sets himself is an enormous one, demanding encyclopaedic knowledge and herculean labour. He must ascertain the views of every theologian, from the ninth century to the present day! The mind almost falters at the vast number of works, obscure, diffuse, intricate, polemical, which must be read through with methodical and unwearied exactitude. One dreads the terrible monotony and endless repetition of the resulting exposition. While it need not be emphasized that this is necessarily a work for the student, and for careful reading, we can say at once that our worst fears were not realized. It is no mere catalogue, or encyclopedia. M. Lepin has obtained quite a remarkable success in the manner in which he has overcome the difficulties of his material. He has made repetitions tolerable, has invested them with the interest of a gradually emerging and developing theme, in which we are made as conscious of the individualities of each writer as of the significant mass of common material.

The method followed is made clear in the first chapter, which deals with the emergence of theological speculation from the ninth to the eleventh century. M. Lepin first classifies and describes the writers of this period; then he gives the Patristic texts on which they worked, and the elements of doctrine which emerge from these texts; finally, he details the outstanding points of the idea of the Mass formed by these writers. Particular attention is devoted to the small body of Patristic texts quoted at this period; they represent the substance and main current of the tradition concerning the Eucharist which was passed on in the Church from the Patristic to the pre-scholastic era. Since the Renaissance our knowledge of Patristic literature has increased enormously; but the genuinely representative character of the small collections of texts of medieval days has not been shaken.

In the second chapter the teaching of Peter Lombard and the scholastics of the pioneer period is expounded. The evidence is carefully tabulated in regard to six fundamental points: that the Mass is a sacrifice, that it contains an immolation of Christ, that this immolation is figurative, that Christ and the Church are in different ways priest and victim; on these points complete unanimity is quickly registered. On the remaining questions—In what part of the Mass is the immolation symbolized? What constitutes the essence of the sacrifice?—there are marked differences of opinion, but yet a definite trend of development, which is very carefully mapped out. The process is carried on through the next two chapters, which deal with St. Thomas and the Scholastics of the thirteenth to the sixteenth century. St. Thomas' teaching on the Mass is singularly sketchy; and even when his views on sacrifice in general, on the sacrifices of the Old Law and on the sacrifice of Calvary, are added, it requires

no little ingenuity to elicit a complete theory. In this case, we fear that the interpretation put forward by M. Lepin owes more to M. Lepin than it does to St. Thomas. The stream grows shallower when we come to the Scholastics of the fourteenth and fifteenth centuries. They were keenly interested in the theology of the Real Presence, in its most minute detail; but the theology of the Mass inspired no intellectual curiosity or effort. The attacks of the Reformers, the rejoinders of the Counter Reform and the discussions at the Council of Trent, changed this state for one of intense activity, resulting in important developments. The author emphasizes strongly certain conclusions which emerge from this period; no definition of sacrifice is worked out, nor any decision as to what constitutes the essence of the sacrifice of the Mass. The consensus of opinion places it in three elements—the Real Presence of Christ, the representation of the Passion, the Oblation. The inter-relation of these elements is left to theological speculation. But nowhere and at no time in this period, from the ninth century to the Council of Trent, is there the assertion that the reality of the sacrifice demands a real immolation, destruction or immutation of any kind.

The second part of the book sets forth the development of theological opinion, from the Council of Trent to the present day. We find at once two new but strong preoccupations. Theologians accept the view that a true sacrifice involves a destruction; they seek in the Mass some element of destruction which will safeguard its reality as a sacrifice. From Baius to Suarez and Bellarmine this tendency grows in volume; but there is wide divergence as to the destruction or immutation realized in the Mass. Some are content with the change which affects the bread and wine; for others the immutation must impinge on the real Victim—Christ, and they find it in the non-sentient mortified state in which He is present, or in the destruction of that sacramental mode of existence at the Communion.

Passing to the seventeenth century, M. Lepin registers the views of some eighty theologians. Those who are keen on statistics and would count theologians by heads may be content to know that all except two define sacrifice as involving destruction; twenty-five are in favour of a real immolation of Christ; fifty support a figurative or mystic immolation. Those who are not content with heads will read of De Lugo, who found a niche for his theory in every text-book, and of Vasquez, who wrote with more than Spanish verve. It is evident that it was the exigencies of controversy with Protestants led theologians to accept destruction as an essential to true sacrifice. They accepted battle on the ground chosen by the enemy, and immediately found themselves in difficulties—which must have been highly diverting to the Protestants. For those who sought a real destruction found themselves confronted with the impassibility of the risen Christ; those who resigned themselves to a figurative immolation were logically reduced to a merely figurative sacrifice.

A different method of meeting the Protestant denial of the reality of the Eucharistic sacrifice was adopted by a number of French divines

of the seventeenth century, the most representative of whom were Condren and Bossuet. They pointed out that, according to the Epistle of the Hebrews, Christ, the Eternal Priest, offers a real sacrifice in heaven, which can consist only in the offering of his crucified body to the Father. This same offering is made every day on our altars by Christ, really present, under symbols which represent and renew the obedience of Christ, even unto death on the Cross.

The eighteenth century accepted the definition of sacrifice and the theories of the seventeenth. The only contribution it added was the truly singular theory of Cardinal Cienfuegos, S.J., which, though propounded with all the assurance of unassailable truth, found not even one supporter. The view of Le Courayer—that the Real Presence was not essential to the reality of the sacrifice—is of more interest, because of the refutations and official condemnation which it evoked, and from the fact that it brought him a pension from the English crown and a doctorate of theology from Oxford!

The nineteenth century presents no original trait; opinion oscillates perpetually between the theories already propounded or attempts an eclectic combination of them. Franzelin gave new life to the view of De Lugo, which finds a real immolation in the reduced corpse-like state in which Christ is present under the sacramental species. But it is a short life, for theologians soon realize that, after all, this is only a figure and representation. Christ is not and cannot be really reduced, changed, or in any way effected. The trend of opinion gradually abandons the idea of a real immolation. It returns to the idea of a mystic immolation. Some explain that this suffices for the reality of sacrifice, in the case of the Mass, because there are two kinds of sacrifice, absolute and relative or commemorative. The distinction is too obviously made for the special case of the Mass to carry conviction. Others abandon the idea of immolation and destruction in the definition of sacrifice, and find the essence in an oblation. This view, which is steadily growing, and which seems to represent the genuine current of tradition, holds by the definition of St. Augustine and St. Thomas, 'Sacrificium est signum visibile invisibilis sacrificii.' It is an act of religious cult whose primary object is to express adoration of God. The cross symbolized in the most perfect fashion Christ's sentiments of obedience unto death. The representation of the Cross in the Mass symbolizes these same sentiments, as actual under the sacramental signs as they were under the veil of the bruised flesh, and as they are in Heaven in the glorified body. The Mass is one with Calvary, in the essential elements—the interior sentiments of the God-man, and their exterior symbolization; it differs only in the mode of symbolization.

In the last chapter M. Lepin expounds and criticizes the latest theory of all—that of Père de la Taille. The main points of Père de la Taille's theory are so well known that they can be briefly recapitulated. The essence of sacrifice consists in oblation, not an internal oblation, but an external 'pragmatic' donation of a victim already, or to be, immolated. The oblation which constituted the sacrifice

of Calvary took place not on Calvary but at the Supper. That was the unique oblation of Christ. Christ does not really offer himself in heaven; and the Mass is a sacrifice in so far as he is offered as a victim *by* the Church. The idea of sacrifice, which is the dominant element of this theory, is based on a study of the biblical sacrifices. M. Lepin, in the first place, protests against forcing the realities of the New Law into the narrow mould of these figures—it is a case of new wine bursting old bottles—and then shows that Père de la Taille's presentation does not correspond with the facts of the biblical sacrifices. The tone of the criticism grows more severe when he comes to deal with the sacrifice of Calvary. In holding that the Passion and Death was not in itself a complete sacrifice, and that it did not contain an oblation of Christ, Père de la Taille is opposed to Tradition and the Council of Trent. His interpretation of the Last Supper as a mere ritual offering, a dedication of Christ to the impending immolation, is also opposed to Tradition, which regards the Last Supper, the Prototype of the Mass, as in itself a complete sacrifice. In denying that there is a real sacrificial oblation of Christ in Heaven, he contradicts the teaching of the Epistle to the Hebrews and of the Fathers. In maintaining that it is not Christ, but the Church, that offers the sacrifice of the Mass, he runs counter to the explicit teaching of Tradition and of the Council of Trent, that Christ is not merely Victim but Priest in the Mass—*ipse et offerens et oblatio*. From Père de la Taille's view it would follow that an excommunicated or deposed priest does not validly offer the sacrifice, for he does not represent the Church. These are but the main points of a careful and searching criticism, which is conducted with the most scrupulous fairness. M. Lepin examines a view in relation to the data and development of theological opinion. He does not draw up an indictment, formulate charges or attach censorious labels of any kind.

The last forty pages contain a judicial summing up of the immense mass of evidence which has been presented. The author shows in a rapid review that the idea of sacrifice—destruction—is a relatively modern one, introduced after the Council of Trent in order to meet directly the Protestant attacks; that it leads to a deadlock, involving the denial either of the impassibility of the risen Christ or of the reality of the sacrifice of the Mass. The idea of sacrifice-oblacion represents the traditional teaching and that of Trent. Momentarily obscured in the sixteenth century it has seen a steady and remarkable revival. It is accepted by M. Lepin as the basis of a synthesis in which he presents his own theory. His first step is to distinguish between a personal and a ritual sacrifice. The former is the internal act of self-oblacion in recognition of the Divine supremacy. The latter is the external signification of this act by means of a symbol expressing donation. The sacrifice of the Cross consisted in the personal oblation of Christ; but the author does not confine the oblation to Calvary alone. The whole life of Christ was a continuous oblation and sacrifice. The act of sacrifice is perpetuated in Heaven by the risen Christ. The Mass is a sacrifice, because it contains Christ's oblation of Himself and the oblation of Christ by the

Church, both represented under the symbolism of the historic immolation of Calvary. M. Lepin's theory is an interesting effort at eclecticism. It would have gained much in precision of thought and exposition if he had avoided an unfortunate ambiguity in his use of the word 'oblation.' Sometimes it means an interior disposition, e.g., on page 738: 'son oblation. c'est précisément l'intention pleine d'amour, qui, formée dans son esprit et passant par son cœur consacre réellement à Dieu toutes ses puissances, lui livre effectivement tout son être.' At other times it means an external act of donation. The result is confusing, for it is not always possible to discover in what sense the word is being used. One might infer at times that the interior act of oblation alone, without any externating symbol, suffices for sacrifice—for that type of sacrifice which he calls direct or moral. All the sacrifices of Christ outside the Eucharist are of this kind (page 743) and contain no rite.

It is this that leads M. Lepin to regard the whole life of Christ and His every act as a sacrifice, just as Calvary. Yet, elsewhere he realizes that an externation of the interior act is requisite for sacrifice, since he deals with the difficulty against the celestial sacrifice that there are not externations or symbols in Heaven. Surely, sacrifice is an act of religious cult, and must necessarily consist in an externation by signs or symbols of our interior adoration. That which signifies is essential as well as that which is signified. Calvary was the sacrifice 'par excellence,' because it was the most complete sign and guarantee of Christ's interior religion. It is that which differentiates it from other phases of Christ's life: hence the fact that the Church does not describe any phase but Calvary as sacrifice. M. Lepin does not give due weight to the external symbolic element of sacrifice. He holds that the representation of the Passion in the double consecration of the Mass is not essential, but a condition due entirely to Christ's institution. The Real Presence would, therefore, have sufficed for sacrifice! We must candidly admit surprise in reading on page 753 that the *reality* of the sacrifice of the Mass requires not only that Christ should offer Himself, but that the Church should intervene to offer on her own part the Victim Christ.

M. Lepin is graciously modest about his theory, and leaves it to the judgment of his readers. He is content with having placed before them an impartial and objective account of the development of theological opinion.

An inventory of the patristic and theological tradition on the subject of the Mass existed already in *Die Geschichte des Messopfer Begriffs* of Father Renz. If M. Lepin's work has not the merit of opening up absolutely new ground it can certainly claim to stand on its own as a remarkably careful, clear and readable presentation. For the study of the theology of the Mass it is indispensable; and we recommend it very heartily to all priests not merely for the sake of obtaining a fuller and better understanding of the sacrifice they celebrate—which is the purpose of all theories—but as a magnificent study of the wonderful process of theological development, and a valuable work of reference to the writers who laboured in that process.

OUR FATHER'S HOUSE. A Children's Prayer Book and Introduction to the Services and Treasures of the Catholic Church. By Father Aloysius, O.S.F.C. Dublin: M. H. Gill & Son.

IN this beautiful little work Father Aloysius has given in simple and attractive form the prayers and doctrine of the Church. The Liturgical devotions are accompanied by clear expositions, which are models of restraint. Only one who is thoroughly familiar with the spiritual needs of children could have composed a work at once so complete and so free from unnecessary detail. In a Foreword Father Aloysius writes: 'The compiler of this little book had already published a Prayer Manual, 'The Voice of the Church,' intended for Catholics who desired to follow intelligently the Liturgical Life of the Church. One day a child accosted him and said: 'Father, have you *no* prayer-book for children? To this simple query is due the present little volume.' Though intended for children, we are inclined to believe that *Our Father's House* will be equally welcome and useful to their seniors. Age and simplicity of mind are not incompatible.

P. M.

POUR ÉTUDIER LE CODE DE DROIT CANONIQUE: *Introduction générale.—Bibliographie.—Réponses et décisions.—Documents complémentaires* (1917-1927). Par M. F. Cimetier, professeur au Seminaire Saint Sulpice. 1 vol. in 12 de vi., 245 pages. Prix: 12 fr.; franco par la poste, 13 fr. Librairie Lecoffre, J. Gabalda et Fils. Editeur, Rue Bonaparte, 90, Paris, 6^e.

SINCE the publication of the Code of Canon Law in 1917 many interpretations of its text have been given by the Holy See. The Commission established for this purpose has, of course, been specially active in this matter; but, not infrequently, the Congregations and Tribunals also have had to interpret and apply canons of the Code in their own respective spheres. The book under review is mainly a collection of the decisions and replies given, whether by the Code Commission or by Congregations or Tribunals, between 1917 and 1927. The author, in many cases, has given the complete decision or reply, in others its substance, and in all the exact place in the *Acta Apostolicæ Sedis* where the original text is to be found. He has arranged his collection, too, in books, titles, chapters, and canons, following exactly the order of the Code itself, so that one has not the slightest difficulty in finding whether a particular canon has been modified or not. But this book is not a collection of documents merely, it contains also a very complete bibliography; in fact, as far as we can see, nearly every commentary of note that has appeared since the publication of the Code is mentioned.

Need we say how useful a work of this kind is? Even the professed student of Canon Law, whose special duty it is to be in touch with the latest legal developments, will find it an invaluable time-saver; for the missionary priest, if he wishes to keep up-to-date in matters which may vitally concern his work, it is almost a necessity. The book under review is the most complete of its kind that we have seen; we have, therefore, no hesitation whatever in recommending it to our readers.

J. KINANE.

THE LAST SUPPER AND CALVARY. A Treatise by the Rev. Alfred Swaby, O.P. Edited, with a Preface and Introduction, by the Rev. Vincent McNabb, O.P. London: Burns, Oates and Washbourne, Ltd. 5s.

IN this book are reprinted in the form of a connected treatise a number of articles written by Father Swaby in criticism of Father De la Taille's *Theory of the Mass*. Death prevented the author from adding the final touches: hence, it is not surprising that there is much repetition of themes and arguments, that the different articles are very loosely strung together, and that they still reek of the smoke and fury of battle. Father Swaby's criticism of the Jesuit theologian's theory is extremely severe. He declares that, unlike other post-Tridentine scholastic theories, which kept speculation rigidly within the limits traced by the Council of Trent and tradition, the new view has broken from the traditional teaching. The break is most violent and most evident in the denial that the Passion and Death of the Saviour—the series of events from Gethsemane to Calvary—was not itself the unique and absolute sacrifice of Redemption. Father De la Taille—and Bishop MacDonald, who arrived at the same view independently—held that the essential element of sacrifice, oblation, took place, not at Calvary, but at the Last Supper, so that the sacrifice of Redemption was not Calvary separately, or the Supper separately, but the union of the two.

In the first chapter Father Swaby deals with the claim that the MacDonald-De la Taille theory was not really new, but had already been put forward by Henry VIII in his *Assertio Septem Sacramentorum*. Though many will regard the ink spilt on the Royal theologian as wasted, these disputants were not of that view, and Father Swaby brings arguments to show that Henry VIII held that the Cross was the absolute sacrifice, and derived nothing sacrificial from the Last Supper. In the second chapter he comes to grips with the theory proper, and contends that its initial and fundamental fallacy lay in making a real distinction between oblation and immolation, while failing to distinguish immolation from mactation. This matter of terminology would not have any crucial importance, if only we knew the precise sense and consistency of an author's use. The real issue is this: Father de la Taille maintains that the Passion of Christ from Gethsemane to Calvary did not of itself sensibly express sacrifice, but merely martyrdom, or the dying for a cause. Father Swaby quotes freely from Peter Lombard, Albert the Great, and St. Thomas, to show that this theory is directly contrary to their teaching. He quotes from the Council of Trent to show that it is directly contrary also to the teaching of the Council in the plain ordinary and accepted sense of the words. He next proceeds to demonstrate how it is that the Passion was not merely a martyr's death, but a sacrifice—an outward expression of the divine Redeemer's perfect interior devotion to His Father's will. He insists that the Divinity of Christ—of which proofs were given in the Passion itself—and the motive of his death were abundantly evident, and that these provide sufficient proof for those who saw, and for all who afterwards hear, that on Calvary was enacted the public sacrifice of the world's redemption. Oblation is more evident,

more public, on Calvary than in the Supper Room. Finally, he examines the texts which Father De La Taille advances from Cassiodorus, Primasius, Alcuin, Raban Maur and St. Bruno, as supporting his theory, and shows with little effort that these writers distinguished the bloody and the unbloody oblation of Christ, and when they speak of the unique redemptive oblation they always mean that which took place in *ara crucis*.

While Father Swaby's opinions are decidedly severe, it is matter for relief that their tone is moderate and restrained. There is nothing that dissolves the gentle bonds of charity. It cannot be said that his style is always illuminative—it is too nervous and staccato. But his earnestness and eagerness for truth are beyond question, and those who wish to appreciate Father De la Taille's contribution to theology cannot dispense themselves from reading Father Swaby.

X.

Οἰοιοῦρ ἰ ἕColón. Θράμα λε σοφοιλέαρ. βάρμαις δε θρῦν
 τ' αἰρερῆς. μάς ηυαῶατ: Cuallaet éurim Cille.

DR. BROWNE has followed up his translation of the *Antigone* and *Oedipus Rex* with that of the *Oedipus at Colonus*. His translations of Sophocles' great plays mark an epoch in the literary history of modern Irish. His selection of classical drama is, in our opinion, happy. Irish literature missed the fructifying influence of the Renaissance. In France and England that influence resulted in the work of Racine and Shakespeare. It is not too late, even now, to wed the Greek breadth of vision and beauty of form to Irish poetry. In many ways Irish is peculiarly fitted, as, for instance, in its vocabulary, to recall the morning of European song. We have again to record what pleasure we received from the presentation of the play by the students of Maynooth. Their work was equal to that of highly-trained professionals. The successful production of the play was due to the untiring efforts of Mr. Frank Fay, to whom, as well as to the students, we extend our hearty congratulations.

P. M.

DIE ANFÄNGE DER NEUEREN DOMINIKANERMISSIONEN IN CHINA. Dr. Benno M. Biermann, O.P. Münster i/W. : Aschendorf. 1927.

THE history of Dominican missions in China is a very edifying and interesting one. They are due to the zeal of some members of the Province of the Most Holy Rosary, in the Philippine Islands, which commenced them in 1587. It is, indeed, certain that some members of the Order had long before that time entered the celestial empire, for in 1346 John of Cora went to Peking, and Bishops appointed to certain districts received ample authority over Dominican missionaries; but all this was the work of individuals, and it afterwards passed away. With the establishment of a Province in the Philippine Islands, the history of continuous missions in China begins. Very soon, however, obstacles arose. Portugal, in whose sphere of influence China lay, prohibited Spanish missionaries from entering it, and in 1600 Clement VIII forbade

any friar to go to Japan except *via* Lisbon. But in 1608 Paul V gave unconditional permission, which, in 1633, was extended to members of other Orders by Urban VIII, and in 1673 to secular priests by Clement X. So at last a bright day dawned for the Far East.

The first Chinese Dominican and the first Chinese Bishop was Lo-Wen-tsaο, called, in Spanish, Gregorio Lopez. What Father Biermann has to tell about him, and about some hundreds of converts in Fuan and the neighbouring towns in 1634, is satisfactory; but in the same year the deplorable connivance at idolatrous rites came to the knowledge of some missionaries. It was condemned by Clement IX in 1669, by Clement XI in 1707 and 1715, and finally, by Benedict XIV in 1742. The painful subject will not be dealt with here; very many letters and books treat of it; titles may be seen in the *Literatur* or lists given in Father Biermann's work, and in a similar one on the Franciscan missions in China by Dr. Otto Maas, O.S.F. (respectively, Nos. 10 and 9 in the series, *Missionswissenschaftliche Abhandlungen und Texte*, Aschendorf).

The proto-martyr of China, Brother Francis de Capillas, O.P., suffered in 1648. The same glorious death was granted to Brothers Peter Sanz, Francis Serrano, John Alcober, Joachim Royo, Francis Diaz, Ignatius Delgado, and other sons of St. Dominic. At the present day the missions which they founded are in a flourishing condition.

R. W.

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THE STATES OF THE CHURCH

BY REV. J. F. O'DOHERTY, D.D.

THE settlement recently made between the Vatican and the Quirinal of the problem which has for sixty years held them apart is an event which will be considered worthy of a chapter to itself in the historical textbooks of the future. The national policy which, in 1870, was thought to demand the denial of Papal sovereignty and the extinction of the temporal power of the Popes, in our day has dictated that, apart altogether from the question of justice involved, and considering only the welfare and progress of Italy, the temporal independence of the Papacy must be recognized and made visible to all the world in the possession of territory. The new Treaty does not provide for anything like a restoration of the once extensive States of the Church ; Italian unity could scarcely concede so much, and, on the other hand, the Pope has no wish to reassume the difficult burden of the civil government of a large territory. Yet, since it was in the States of the Church that men saw for centuries the temporal independence of the Head of the Church, it might be interesting at this juncture to rehearse the story of those States.

I—TO THE DONATION OF PEPIN

To one who reflects on the liberality with which our Gaelic ancestors endowed the Church in the century of its foundation in Ireland, providing it all over the country with a piece of land in every *tuath* on which to erect its church-building, and usually also its local monastic establishment, it will not come as a surprise to hear that already, by the time of the Peace of Constantine, the Bishop of Rome had received substantial gifts of landed property from donors throughout Italy. For, though the majority of the early converts from paganism to Christianity were

of the lower classes, and would have little to bestow on anyone, there was, nevertheless, a considerable influx from the wealthy class into the Church. Amongst the victims of the persecution which broke out in the reign of Domitian was a former Roman Consul, Glabrio; Flavius Clemens, who was a cousin of the Emperor, and Domitilla, his wife, suffered in the same persecution. Agatha, daughter of a distinguished Sicilian family, and whom a Roman Senator would gladly have married, was a victim of the Decian outburst; while the wives of the Emperors Diocletian and Galerius professed the Christian faith. People of substance were, therefore, within the Christian fold, and of their belongings they gave freely to the Popes. The extent, however, as well as the stability of these acquisitions was very materially affected by the legislation of Constantine, which accorded to the Church the legal quality of being a moral person, a corporation in the eyes of Roman Law, with the right, as such, to own and inherit property. The security thus given inspired many, who might otherwise have been deterred from giving, by the doubtful nature of Papal tenure up to this legislation, to increase by their gifts the landed possessions of the Pope, and in a short time the Bishop of Rome was the biggest land-owner in all Italy. Not to mention his possessions in other countries, he had valuable estates in Sicily, about Syracuse and Palermo; Lower Italy owned to his dominion in many places, while Central Italy was dotted with Papal holdings. The Pope was not, of course, in any sense, the ruler of these territories; there was no question of their extra-territoriality for a long time to come, but they were the nucleus of what, later, by force of several circumstances, became the territory of the Pope-King.

With such wealth at his disposal, the Pope was well fitted to exercise that beneficent activity which he claimed as his special province, and the administration of the Papal estates well justified the name of *patrimonium pauperum* which was used to designate those possessions.

The starting-point for the Papal activity was the care of the poor,

a field which had been neglected by the State, but gained in importance in proportion to the increasing distress of the times and the insufficiency of the public administration. . . . The old public distribution of provisions was replaced by the beneficial institutions of the Roman Church, by her diaconates, shelters, hospitals and her magnificent charity organization, through which money and provisions were dealt out regularly to a large part of the population. The vast granaries of the Roman Church received the corn brought from all the patrimonies, especially from Sicily, for the purpose of feeding a population whose regular sources of income were totally insufficient for their support.¹

Speaking of this province of ecclesiastical effort, Lecky writes that

Christianity, for the first time, made charity a rudimentary virtue, giving it a leading place in the moral type and in the exhortation of its teachers. . . . It effected a complete revolution in this sphere by regarding the poor as the special representatives of the Christian Founder.²

The important social position which the Roman Church held as a result of the peace of Constantine invited her to minister to the needs, not only of the poor within the Christian fold, but of the poor in general, amongst whom dwelt misery and wretchedness, greater than ever before was known in the Empire, and born of 'the universal corruption, cruelty and extravagance of the civil officials, and the relentless and grinding usury of the money-lenders.'³ To meet this widespread poverty, the Church established her charitable ministrations on an organized basis which, for the satisfactoriness of its results, has never since been improved on. Altogether, the Papal administration of the possessions of the Church was such as to attach the people of Italy in a peculiarly close friendship to the Roman See. And, while it would be an anachronism to speak of a consciousness of nationality at the period with which we are dealing, still it was something very like the spirit of nationality which gradually changed the Pope's position of administrator of large estates into that of temporal ruler of sovereignly independent territory.⁴

¹ *Cambridge Medieval History*, vol. ii. pp. 229, 230.

² *History of European Morals*, vol. ii. p. 79.

³ Dr. J. A. Ryan, *Catholic Encyclopedia*, art. 'Charity.'

⁴ In his excellent *History of Medieval Ireland*, Professor Curtis, of Trinity College, remarks, page 70, that: 'In Hungary, Poland, *South Italy, the Holy See had nursed young nations into life*; in Ireland it destroyed a nation.'

The march of events tended to give increased prominence to the important position already held by the Popes. The change of the capital of the Empire from Rome to Constantinople allowed the importance of the Papacy, in its purely civil activities, to appear in better relief. In A.D. 395, on the death of the Emperor Theodosius the Great, the Empire was divided into the Western and Eastern Empires,¹ and the headquarters of the Imperial administration for the West were, first, at Milan, and later on at Ravenna, on the coast of the Northern Adriatic. And it was the neglect of the East to help Italy during the terrible fifth century, combined with the poor success of the Italian administration against the invading barbarians on the one hand, and on the other hand the patriotic interferences of the Popes to protect the neglected Italian subjects of the Empire, which made the evolution of the Papal civil supremacy not only politically and militarily necessary, but also nationally desirable.

The opening years of the fifth century saw Alaric in Italy with his Visigoths, and Stilicho, the real ruler of the Western Empire during the minority of the Emperor Honorius, had the Western troops elsewhere engaged. Then came Ostrogoths, led by the adventurer Radagaisus, and though they were routed, their six months' stay had caused terrible suffering in Italy. In A.D. 408 Alaric returned with his army, and laid siege to Rome; again the help which should have come from Ravenna did not arrive, and Rome was forced to surrender. Ravenna refused to ratify the agreement between Rome and Alaric, solemnly swearing war to the death with Alaric—and Rome was besieged again, and again surrendered. The intrigues and schemes of the Ravenna administration, which regarded the whole matter from the Imperial point of view, and cared little for the interests of the affected subjects, must

¹ Professor Bury points out that we must not think of these as being two distinct empires. 'The Empire throughout the fifth century was the one and undivided Roman Empire in all men's minds. There were "the parts of the East" (*partis orientis*) and "the parts of the West" (*partes occidentis*), but the Empire was one.'—*History of the Later Roman Empire*, vol. i. p. 17.

be held responsible for the sack of Rome and of Central Italy by Alaric's troops in A.D. 410. Fifteen years later Italy was the cockpit of the troubles which were concerned with the overthrow of John, who had been proclaimed Emperor at Ravenna when Honorius died, and with the restoration of Placidia and her son, Valentinian III. The reign of Valentinian saw the break-down of the Western Empire: the Salic Franks advanced from their Rhine province to establish themselves westward as far as the Somme; the Vandals were in Africa at the invitation of the rebel Boniface, Count of Africa, whose subsequent pardon brought Italy into the throes of another civil war, in A.D. 432; the Huns were in the Balkan Peninsula, with Attila as their leader, from A.D. 441 to A.D. 448; then they moved westward to Gaul, whence they came to Italy at the invitation of Augusta Honoria to prevent her being married against her will to a rich Senator! (A.D. 451) Attila came again in the following year to claim Honoria as his own bride.

Aquileia, the city of the Venetian march, now fell before the Huns, and was razed to the ground, never to rise again. . . . Verona and Vicentia . . . were exposed to the violence of the invader, while Ticinum and Mediolanum were compelled to purchase exemption from fire and sword. The path of Attila was now open to Rome . . . but *the lands south of the Po, and Rome herself, were spared the presence of the Huns.* According to tradition, *the thanks of Italy were on this occasion due, not to Aetius [general of the imperial armies] but to Leo, the Bishop of Rome.*¹

Only four years afterwards, in A.D. 455, Gaiseric and the Vandals were in Italy. Maximus, who was Emperor after Valentinian III, preferred safety to the honours of war, and was killed by a well-aimed stone when he tried to make off.

Three days later the invaders entered Rome. Whether they came entirely of their own accord or in answer to a summons from the Empress, they were now bent only on rapine. The Bishop of Rome, Leo I, met them at the gates. Although he did not succeed in protecting the city against pillage, violence and 'vandalism,' he preserved it, by his intervention, from the evils of massacre and conflagration.²

¹ Bury, *op. cit.* pp. 294, 295.

² *Ibid.*, *op. cit.* p. 325.

What Professor Bury writes in regard to the influence of the Church in Gaul at the period obviously holds, *mutatis mutandis*, for Italy as well :—

The part which the Church was able to play throughout the critical age in which the country was passing from Roman to German lords depended on the fact that the Gallic episcopate was recruited from the highly educated and propertied class. . . . It was these bishops who mediated between the German kings and the Roman [Imperial] government, and after the Imperial power had disappeared, helped to guide and moderate the policy of the barbarian rulers towards the provincials.¹

For so far the barbarian invasions had been more or less of the nature of raids on a rich Imperial territory. But towards the end of the century the invaders preferred to come to stay in Italy. The policy of admitting the barbarians who settled on the frontiers of the Empire to a kind of federal alliance with the Imperial power had been followed by the admission of many barbarians into the Imperial armies ; and by A.D. 470 the army of the West 'seems to have consisted almost exclusively of East Germans, chiefly Heruls, also Rugians and Scirians.'² When it seemed convenient to this barbarian army, they proclaimed Odovacar their king, deposed the last of the Emperors of the West, and set up a kingdom of Italy instead. True, Italy still was part of the Roman Empire, but in its immediate government it was the territory of a barbarian king. This state of affairs was interrupted, but not changed, when the Ostrogoths, under Theoderic, struggled with Odovacar for the fair lands of Italy, and, being victorious, set up the Ostrogothic kingdom which was destined to last for half a century.

Under the rule of Theoderic, Italy is said to have enjoyed peace, prosperity and plenty, such as she had not known for many a long year. . . . But, notwithstanding the improvement in their material conditions and in their general security, we can hardly believe that the Italians, with the barbarians settled in their midst, regarded themselves as steeped in felicity.³

It was only in the reign of the Emperor Justinian that the

¹ Bury, *op. cit.* p. 347.

² *Ibid.*, *op. cit.* pp. 468, 469.

³ *Ibid.*, *op. cit.* p. 406.

barbarian supremacy in Italy was smashed by the long and harrowing campaigns of Belisarius and Narses, and Italy was restored to her Imperial status, to be governed henceforth by the exarch who represented the Empire in the old headquarters at Ravenna.

This rather tedious narrative of the events of the fifth century, in so far as Italian interests were involved, has been necessary in order to indicate the lessons which Italy had learnt, and which at a later date she had occasion to turn to practical account. It had become evident that the Empire was no longer able to guarantee peace and security to her subjects who found themselves constantly harried and pillaged by every barbarian horde that set envious eyes on a rich province. It was also clear that the well-being of any particular portion of the Empire was liable to be overlooked by eyes which were seeking only the safety of the Empire as a whole; and such statesmanship, while it might be very wise from the Imperial standpoint, was not likely to win the approval or admiration of the particular Imperial diocese which was being offered as a holocaust for the safety of the whole. The struggle for existence naturally tended to put vigorous self-defence in the place of such unsatisfactory Imperial protection; and that attitude, when other circumstances contributed their force to the general movement, ultimately cut off the *partes occidentis* from the Roman Empire, set up an independent Italy, and provided for the safety of that new Italy by a new power, the Holy Roman Empire. That the new Italy should centre round the Papacy was natural also; we have seen the important part played by the Papacy in the social life of Italy; we have seen, too, how the Popes had intervened successfully to save Italians from invasion when Ravenna and Constantinople were helpless or negligent. As the protector of the poor, the saviour of those 'who had a stake in the country,' the Pope seemed marked out as the fitting leader of a resurgent Italy. And so it was to be.

Though Italy had been restored to the Empire by the

victorious armies of the East, neither peace nor prosperity followed on the restoration. The reign of Justin II. successor of the great Justinian, was a period of misery for the Empire. The administration of justice was corrupt, and while the rich were in constant fear for their property, the poor lived in dread of their lives. The government of Narses, in Italy, was oppressive and unpopular, and discontent filled the country. To add to the distress, pestilence and famine desolated the land, and people were willing enough to add these to the already heavy charge of the government. Such was the state of affairs that when at length the Lombards came, the native Italian was unable to make up his mind who were his friends, who his real enemies.¹

Narses had employed Lombard warriors in his campaigns against the Gothic kingdom of Theodoric; and when these confederates returned to their homes, they had tales to tell of a rich and beautiful land with a delightful climate, which might be a Lombard home if they cared to earn it. When, therefore, the Lombard chief, Alboin, raised his standard for an Italian campaign, many there were eager to join the expedition. In 568 they started their march for Italy. Narses, whose genius might have met this newest menace to Imperial integrity, had just been relieved of his Italian command. His successor, Longinus, offered but little opposition, and within a very short time the Lombards had set up their Alboin as the ruler of the new Lombard kingdom of Italy, with its capital at Pavia. Again and again did Rome and Italy appeal for the benefit of Imperial protection; but in vain. Temporary relief was the most the Empire could do, and beyond that there was only advice—'advice to bribe the Lombard chiefs, *or to purchase the aid of the kings of France.*'² The interference of outsiders, thus recommended, had only the effect of forcing the Lombard invaders to weld their kingdom into a more highly organized military and political unit; their kingdom was now built to endure, and for two centuries it did endure.

¹ Gibbon, *Decline and Fall*, vol. v. c. 45.

² *Ibid.*

It was at this crisis of Italian history that Pope Gregory the Great entered on his Pontificate (A.D. 590-604). When he had appealed in vain for help from the Imperial government at Ravenna or at Constantinople, he realized, with the mind of a statesman, that the salvation of Italy depended on Italy, and depended particularly on the Pope. He, therefore, negotiated a treaty with the Lombard invaders, whom, unaided, he could neither conquer nor expel, and was minded to soften the rigours of the invasion, and so preserve the distinctive characteristics of the native Italian people by bringing the barbarous and cruel¹ newcomers under the gentilizing influence of the Catholic faith and the Catholic ideal of charity. That his effort was foiled by the jealousy of the Exarch, who saw in this treaty, negotiated by a subject of the Empire with the Empire's enemies, a violation of the sacrosanct prerogatives of the Imperial government, is historically of much less importance than the fact that now at last Italy had spoken, through the mouth of the Pope, and had signified her intention of relying on her own particular efforts to work out her national salvation. Gregory had not thrown off the Empire; on the contrary, his attitude towards the civil state was distinctly loyalist. But he had pointed out a road; and his determination that Imperial apathy was not going to be permitted to hand up Rome and Italy to some minor Lombard duke and so lead to their insignificance and decay, gained for the Papal See such an increased prestige and dominating political influence that, for the future, the varied population of Italy accustomed itself to look to the Pope as its guide through the troubled years. And 'in the attachment of a grateful people, Gregory found the purest reward of a citizen, and the best right of a sovereign.'²

We pass on to the eighth century. The Lombards still share the dominion of Italy with the feeble Imperial exarchate at Ravenna. Another Gregory, second of the

¹ Cf. *Cambridge Medieval History*, vol. ii. p. 194.

² Gibbon, *op. cit.* v. c. 46.

name, is on the seat of the Popes. In Constantinople, Leo III, the Isaurian, is Emperor of the Roman Empire.

Leo III had already earned the hatred of his western subjects by the imposition of a new capitation tax, which the Italians promptly refused to pay, as being an unconstitutional innovation in the Imperial system. But his sin was aggravated when, in pursuance of his programme of hostility to the Catholic practice of image-worship, he issued his iconoclastic decree. Gregory wrote two famous letters to him, in which he left neither his duty of loyalty to his Emperor, nor his duty of Supreme Pastor of the Catholic Church, and vigorously urged Leo to turn aside from the 'rash and fatal enterprise' on which he had embarked. 'If you persist,' continues the Pope, after uttering his warning, 'we are innocent of the blood that will be spilt in the contest; may it fall on your own head.' But nothing could restrain the reforming zeal of the Isaurian iconoclast; and the Pope, the recognized leader of Italy,

boldly armed against the public enemy, and his pastoral letters admonished the Italians of their danger and their duty. At this signal Ravenna, Venice, and the cities of the exarchate and Pentapolis adhered to the cause of religion. . . . The Italians swore to live and die in the defence of the Pope and the holy images; the Roman people were devoted to their father, and even the Lombards were ambitious to share the merit and the advantage of the holy war.¹

The Emperor lost the contest. Yet even now, when Italy might easily have thrown off the Empire which had become a galling yoke, the Popes strove successfully by their moderate counsels to keep Italy united with the body of the Empire.² But the separation could not be much longer delayed.

The re-settlement of Italy, after the iconoclastic war, by which Ravenna was once more the seat of government

¹ Gibbon, *op. cit.* c. 49.

² Cf. *Cambridge Medieval History*, vol. ii. pp. 578, 9: 'The Pope, on his side, though he laid all iconoclasts under the Church's ban, opposed the treasonous design to put a rival emperor on the throne, and scrupulously continued to date all his official acts by the sovereign's regnal years.'

of what remained of the Empire of the West, though the Pope was practically sovereign of the Duchy of Rome, was little to the liking of the Lombards, whose power in Italy was seriously crippled so long as Rome, on the west, and Ravenna, on the east, succeeded in holding the mountain district between them, thus keeping the Lombard duchies of Spoleto and Benevento, lying south of the corridor, isolated from the main Lombard kingdom of the north. Consequently, Liutprand, the northern king, set himself the task of breaking the Rome-Ravenna connexion by gaining control of the mountain road that joined them; but his pious nature restored to Gregory II the fruit of his success, 'as a gift to the blessed Apostles Peter and Paul.'

Ten years later, in 738, the southern duke, Transamund, again broke the lines of communication, but again the influence of the Pope saved the day, and the captured territory was once more restored, this time to a new Pope, Gregory III (A.D. 731-741). The following year Liutprand again took the field. After ravaging the exarchate, he turned south, against the duchy of Rome, to reduce both it and the duke Transamund, who had entered into an alliance with the Pope. In this extremity, Gregory turned for protection to the Franks, but Charles Martel, the real ruler of that people under the decadent Merovingian sovereigns, was unwilling to interfere against the Lombards, who were allies of his own. Liutprand captured four castles in the duchy of Rome before retiring northwards to his home. The successor of Gregory III, Pope Zachary (A.D. 741-752), finding that Transamund could not or would not fulfil his part of the bargain, reversed the Spoletan policy of his predecessor, and allied himself instead with Liutprand, receiving in return the four castles already taken, and a number of patrimonies which had already fallen to Lombard conquerors. And once again was a native rule saved for Italy, and saved by the shrewd policy of a Pope.

Ten years more, and the Lombards acknowledged as

their new king, Aistulf, who, with a full Lombard programme in his mind,

declared himself the equal enemy of the Emperor and the Pope. Ravenna was subdued by force or treachery, and this final conquest extinguished the series of the exarchs who had reigned with a subordinate power since the time of Justinian and the ruin of the Gothic kingdom. Rome was summoned to acknowledge the victorious Lombard as her lawful sovereign; the annual tribute of a piece of gold was fixed as the ransom of each citizen, and the sword of destruction was unsheathed to exact the penalty of her disobedience.¹

To Byzantium once more the Pope looked for help; but for answer the Emperor, Constantine Copronymus, could only give to Pope Stephen III the advice which other Emperors had given to other Popes: he was to use the old policy of the Empire, and 'pit some other Germanic tribe against the Lombards.' To the Franks Stephen turned, as Gregory III had done before him, but with better success than had rewarded the appeal of Gregory. Crossing the Alps, Stephen met Pepin at Ponthion. The Carolingian king agreed to help Italy to recover the vanquished territory. At Quiercy, on the Oise, he executed in writing a promise to give to the Church certain territories, and was in return anointed king afresh by the Pope, who also forbade that the future kings of the Franks be chosen from other stock than the stock of Pepin, King of the Franks, and—new and significant title—Patrician of the Romans. It took two campaigns to carry out the promise of Quiercy, but, in A.D. 756, Aistulf was finally disposed of, and the keys of the recovered cities were deposited by Pepin on the grave of St. Peter. And Stephen reigned as the first Pope-King; King of the Papal States, and Pope of the Church.

Who will maintain that the Empire had any further claim to the territory involved? The rights of the Empire had fallen before the might of the Lombard; the Lombard has lost to the armies of Pepin. The history of the Imperial administration of Italy from A.D. 401, when Alarie came, to

¹ Gibbon, *op. cit.* c. 49.

A.D. 752, when Aistulf demanded the surrender of Rome, shows that, long before Pepin came, the Empire had forfeited its ancient rights in the *partes occidentis*; and certainly was not a record such as would justify a claim to re-entry into control on the basis of gratitude. The Papal States, as founded by the Donation of Pepin, are the monument to 'the early generosity of the faithful, the hard need of self-defence, the political results of the attempt to spread Iconoclasm in Italy, and the culpable neglect of the Byzantine Court.'¹

'The temporal dominion of the Popes [wrote Gibbon] is now confirmed by the reverence of a thousand years; and their noblest title is the free choice of a people whom they had redeemed from slavery.'² Their noblest title—perhaps so; but their *only* title? If history proves anything, it proves that the answer is a decided No.

J. F. O'DOHERTY.

[To be continued.]

¹ *Catholic Encyclopedia*, art. 'Italy.'

² *Op. cit.* c. 49.

CAN OUR LADY'S UNIVERSAL MEDIATION BE DEFINED?

BY REV. JAMES A. CLEARY, C.S.S.R., M.A.

DURING the past thirty years the question of Our Lady's Mediation has been coming more and more into prominence. It is true that the older theological and ascetic writers treated the question, and sometimes at great length. For example, in the eighteenth century Blessed Grignon de Montfort wrote a practical treatise on the subject; St. Alphonsus, whom Terrien, S.J.,¹ styles, 'the most enthusiastic champion of Mary's Universal Mediation,' was the first of the great theologians to defend it as a formal thesis against Catholic and Protestant opponents; and Terrien himself, in the nineteenth century, wrote an admirable book in which he discusses all Our Lady's privileges. But it is from about the year 1900 that theological interest in the question has been universally aroused, and from that date the brochures, periodical articles and lengthy volumes that have appeared are almost innumerable. Especially noteworthy are the writings of Bainvel, S.J., and De la Broise, S.J., which appeared early in the century, and were re-issued² jointly, in 1921, with an introduction by Cardinal Billot, S.J. Father Godts, C.S.S.R., published his work, *De Definibilitate Mediationis universalis Deiparae*, in 1904, at Brussels. It is a veritable thesaurus of quotations and arguments. Since the Great War, the literature on the subject has become still more abundant, as the result, in great measure, of the influence of Cardinal Mercier.

In a very interesting article³ contributed to a Belgian

¹ *La Mère de Dieu*, etc., iii. 387.

² *Marie, Mère de Grâce*.

³ *Nouvelle Revue Théologique*, 1926.

review, Father Vermeersch, the celebrated Jesuit theologian, tells how the Cardinal, during the evil days of war, turned his thoughts continually to the Mother of Sorrows, and gradually became an enthusiast for the dogmatic definition of her Universal Mediation. Under his inspiration, commissions of theologians studied the question in Belgium, in Spain, and in Rome. The Cardinal was instrumental in obtaining, in 1921, the privilege of celebrating the Feast of 'Mary, Mediatrix of All Graces,' for the Belgian dioceses, and any others of which the Ordinaries claim the feast. The celebration is fixed for May 31. During his last journey to Rome, Cardinal Mercier's thoughts and conversation were centred on the measures necessary to hasten the definition, from which he hoped for marvellous results in the Church and in the world. He did not live to see his wishes realized. But it is surely more than coincidence that he died on the day dedicated to Our Lady, Saturday, January 23, 1926, and the Mass of her Universal Mediation was celebrated near his bedside just before the end.

The enthusiasm of the great Cardinal is reflected in the extraordinary interest taken in the question of Mary's Mediation amongst Belgian ecclesiastics; and it has been reserved for Canon Bittremieux, Professor of Special Dogmatic Theology in Louvain, to publish what is generally acclaimed as the best book¹ on the subject. But Belgium is not the only country where the question is being studied. Scarcely a month passes in which a volume does not appear on the subject, or at least an important article in one of the ecclesiastical reviews on the Continent. To mention merely a few: Merkelbach, O.P., has minutely examined the views of St. Thomas on the matter; and Bover, S.J., has written in the *Gregorianum*, 1924, in Spanish, and Latin articles in the *Verbum Domini*, on the Scriptural arguments for the doctrine. The same has been done in German by Dr. Scherer of Passau. Within the last few years the French periodical, *Ami du Clergé*, has published many short but interesting articles on the question. The eminent

¹ *De Mediatione Universali B.V.M.*; Bruges, 1926.

dogmatician, the late Christian Pesch, S.J., wrote a book in German: *The Blessed Virgin Mary, Mediatrix of All Graces*, in 1923; and Schneth, S.J., another German treatise¹ in 1925. This year, in June, a Marial Congress is to be held in Quebec, and Our Lady's Mediation is the subject for discussion. But it must be admitted that, in spite of the great interest taken in the question amongst Continental scholars, comparatively little has been written in English. Consequently, a detailed survey of the present theological position of the doctrine will be welcome to readers of the I. E. RECORD.

Before proceeding to treat of the doctrine itself, it is necessary to examine summarily what classes of theological propositions are capable of definition as dogmas of faith. The Vatican Council defined that we are bound to believe with Divine Catholic faith everything contained in the Word of God—whether it be the written Word or the Word of Tradition—and which is also proposed for belief, as divinely revealed, by the Church, either in a solemn definition or through its ordinary and universal *Magisterium*.

Solemn definition requires no explanation. The ordinary *Magisterium* embraces those doctrines which have never been expressly defined by Pope or Council; but which the universal Church, through its pastors and doctors, affirms as divinely revealed and contained in the deposit of faith. Now, doctrines can be revealed explicitly or implicitly: explicitly, when they are enunciated in clear terms, for example, *Verbum caro factum est*, implicitly, when they are not thus clearly revealed, but are contained in some explicitly revealed truth. Again, a doctrine may be contained implicitly in a revealed truth in two ways, either *formaliter* or *virtualiter*. A doctrine is contained implicitly *formaliter* when it is deduced from *two* revealed propositions, or inferred from a mere *exposition* of the terms of *one* revealed proposition with the help of another proposition known by the natural light of *reason*; a doctrine is contained

¹ *Mediatric, Eine Mariologische Frage.*

implicitly *virtualiter* when it is deduced, by a strict, logical process, from a *revealed* truth, with the help of another proposition known only by *reason*. Now, it is certain that doctrines of the former class, being *formaliter* contained in revealed teaching, are themselves revealed, and can be defined as dogmas of faith. With regard to doctrines only *virtualiter* contained in revelation, there is a great difference of opinion amongst theologians; but many eminent scholars hold that such doctrines can be defined by the Church, as of Divine faith.

Whether the conditions of definibility are fulfilled in the doctrine of Our Lady's Mediation, the reader will be in a position to judge in the course of this article, whose contents may be summarized in the following quotation from the masterly treatise ¹ on Mariology of the late Father Hugon, O.P. :—

The Blessed Virgin is so associated with Christ in all things relating to salvation, that she is the mother of His Mystical Body by grace, as she was the mother of His natural Body by generation. . . . Hence, it can be safely laid down that she is the secondary cause wherever Christ is the principal cause. Christ is the first formal cause of predestination, the Blessed Virgin is the secondary and proximate exemplar. He is the primary, universal, and *de condigno* meritorious and satisfactory cause; she is the secondary and *de congruo* ² universal cause. Christ in glory is the primary, universal, impetratory cause, through Whom all the goods of salvation come to us; Mary is the secondary, universal impetratory cause, so that no grace descends to men except through the hands, that is, the intercession of Mary.

Reserving for the conclusion of this article a more detailed examination of the meaning of Our Lady's Mediation, we shall, for the present, assume it to signify that all—absolutely all—the graces which are given to men, come through the intercession of the Queen of Heaven. Now, what degree of theological certitude is to be attached to this proposition? Scarcely any of the older theologians have given it a formal theological *note*. St. Alphonsus, in various passages, calls it: 'a pious and common opinion,' and in later writings 'true and indubitable,' and defends

¹ *Tractatus Dogmatici*, ii., 772. Edit. 1927.

² *De condigno* implies a title in justice; *de congruo* implies a claim to benevolence, *ex decentia*.

it as 'the truth,' not merely in his ascetical, but also in his dogmatical¹ works against heresy. In more recent times, Tanquerey² (edition 1921) says that 'many theologians maintain the doctrine,' but he gives no personal opinion. Van Noort³ (edition 1920) calls it 'a pious and probable opinion.' Pohle-Preuss (*Dogmatic Theology*, 1919 edition), declares, strangely enough: 'There is justification for the probable but not strictly theological opinion of St. Alphonsus.' Some well-known dogmatic manuals make no reference whatever to the doctrine.

On the other hand, Dublanchy, S.M. (*Dictionnaire Catholique*, 1927⁴) says: 'The doctrine is implicitly contained in the New Testament, and is expressed by constant Catholic tradition.' According to Bainvel, S.J.⁵ (Professor in the Catholic Institute, Paris):—

The doctrine is not merely a truth acquired by theological deduction. It is a truth that we can boldly consider as belonging to the deposit of faith. It will be defined in its own day. When and how? Only God knows; but it depends on us, in a certain measure, to hasten the time. . . . We can draw the attention of theologians to this great question, more important even than the Assumption.

Cardinal Deschamps, C.S.S.R.,⁶ writes: 'The Fathers have expressed in their works the truth of the Universal Mediation of Mary.' De la Broise, S.J. (former Professor Catholic Institute, Paris) holds⁷ that: 'Amongst the doctrinal points concerning the Blessed Virgin, her Universal Mediation is, apparently, one of the most likely to be soon defined.' Hugon, O.P. (late Professor of the Angelico, Rome) is of opinion (*Dogmatic Theology*, 1927 edition) that: 'All the principal points implied in the Universal Mediation of Mary are sufficiently revealed, so that the doctrine can be defined by the Church.'

Vermeersch, S.J., writes in his *Moral Theology*⁸ (1928 edition):—

The universal intercessory mediation of Mary is a persuasion, ever

¹ See his work on *The Decrees of Trent*, v.

² *Dogmatic Theology*.

³ *De Redemptore*, 194.

⁴ Article *Marie*.

⁵ *Marie, Mère de grâce*, 1902.

⁶ *La Nouvelle Ève*, ch. 12.

⁷ *Études*, t. 83.

⁸ Vol. ii., p. 162.

rooting itself more deeply in the hearts of the faithful, confirmed by many pontifical documents, quasi-authentically expressed by the concession of a Proper Mass, and fostered by the studies of theologians, so that the consoling hope daily increases that at some future hour this truth may be proposed to Christians as a dogma of faith.

Lavaud, O.P., writes ¹ (1927): 'The fact of Mary's Universal Mediation is certain. . . . We hope that soon all Catholic hearts will rejoice in the wished-for definition.

Lercher, S.J., says (*Institutiones Dogmaticae*, 1925): 'The thesis that all graces are distributed through Mary enunciates the common persuasion of the Church, approved by the Holy See.'

Abbé Verhelst (*Priécis de dogmatique*, Brussels, 1924) gives as his opinion: 'It is a certain doctrine that Mary prays for each and every individual. Every grace accorded to men is obtained by the intercession of Mary—this cannot be doubted without temerity.'

Van der Meersch (*Treatise on Grace*, 1924) contends that the doctrine is revealed. Bittremieux is of the same opinion.

Merkelbach, O.P.,² says: 'The Universal Mediation of Our Lady is a truth implicitly revealed, and it is capable of definition by the Church.' Bover, S.J., Canon Von Crombrugge,³ Christian Pesch, S.J.,⁴ Godts, C.S.S.R., and the French review, *Ami du Clergé* (*passim*, 1925-1927) are also stout champions of the definition. But the truth of the doctrine is placed beyond all doubt by the public and official—although not *ex cathedra*—pronouncements of the Roman Pontiffs.

Pope Benedict XIV,⁵ in an Apostolic Letter of September 27, 1748, writes: 'Mary is, as it were, a celestial stream, by which *all* heavenly gifts and graces are borne to men.' Pope Pius VII ⁶ in a public document, writes: 'O Virgin

¹ *La vie spirit*, September, 1927.

² *Revue de Liège*, 1914.

³ *Nouvelle Revue Théologique*, 1926, p. 752.

⁴ *Op. cit.*, 1923.

⁵ Henze, *Mater de perp. Succursu*, p. 93.

⁶ Godts, *op. cit.*, p. 122.

Mary, our most loving Parent, and the dispensatrix of all graces.' The doctrine is contained in the Bull of Pope Pius IX, defining the Immaculate Conception: 'Mary is the refuge of *all* in peril, the most powerful mediatrix with her Son for the *whole* world, the destroyer of *all* heresies; solicitous for the *whole* human race, by her prayers she obtains all she asks.' The same Pope indulgenced, in May, 1866, a prayer which begins: 'O Mother . . . who art the dispensatrix of all graces.' Pope Leo XIII enunciated the doctrine repeatedly in Encyclical Letters: 'We can affirm that nothing *whatever* of that magnificent treasure of grace which Christ has won for us, nothing is imparted except through Mary' (Encyc. of September 22, 1891); 'Every grace communicated to this world proceeds by a triple succession. It is dispensed by God to Christ, and thence to the Blessed Virgin, and by her to us' (Encyc. September 8, 1894).

☩ Pope Pius X declares in his Encyclical of February 2, 1904:—

Mary merited to be the restorer (reparatrix) of a lost world, and so the dispensatrix of *all* the gifts which Christ merited by His death. . . . She is the most powerful mediatrix for the whole world. . . . She merits for us *de congruo* what Christ merited *de condigno*.

Pope Benedict XV¹ repeated the teaching of his predecessors:—

It can justly be said that Mary, with Christ, redeemed the world. And since, for this very reason, the graces of every kind which we have received from the treasures of Redemption are ministered by her hands, it is evident to all that it is from her also we must expect the grace of a happy death. Mary is the administrator and steward of all the graces that Christ conferred on men (Encyc., June 29, 1921).

The doctrine of Our Lady's Universal Mediation is so clearly and repeatedly affirmed in these Pontifical documents—chiefly Encyclical Letters—that, apart from a dogmatic definition, there can be no greater theological certitude.

I now propose to summarize the main arguments for the doctrine, beginning with those from Sacred Scripture.

As to the question of their cogency, Hugon, O.P.,²

¹ *Acta A.S.*, x. 182.

² *Op. cit.*, p. 780.

says: 'Haec doctrina *suadet* ex Scripturis.' Lavaud, O.P.,¹ says: 'A solid analysis of Scriptural texts leads us to conclude the truth of the doctrine.' Scherer² is of opinion that we can draw from the Scriptures a species of *inductive* proof.

I—THE ARGUMENT FROM SACRED SCRIPTURE

(a) *The Annunciation* (Luke i.).—The Archangel Gabriel negotiates with the Blessed Virgin concerning the great event on which depends the salvation of humanity, and, as a condition for the accomplishment of the Incarnation, asks her consent. St. Thomas³ and Pope Leo XIII⁴ distinctly declare that Mary, in giving her consent, 'acted, so to speak, in the name and in the person of the whole human race.' Now, the Incarnation to which she consented was that of a Redeemer, entailing for her a participation in His suffering and in His work of Redemption. The Incarnation and Redemption were in the *actual* order of providence, made dependent on the consent of the Blessed Virgin. And by this consent she not only placed a condition of our salvation, but became in a secondary sense, its cause. Pope Leo XIII declares (Encyc., September, 1894): 'When Mary announced herself a handmaid, willing to undertake the office of mother, she already made herself His associate in the painful labour of man's Redemption.' Now, as Bossuet⁵ says in a striking passage:—

God, having once given us His Son through Mary, this order of things is unchangeable, for the gifts of God are without repentance. It is, and must be always, true that, having once received through her the universal principle of grace, we receive also through her intervention the various applications of grace in *all* the different phases which make up the Christian life.

And Pope Pius X declares (Encyc., February, 1904):—

Associated by her Son with Himself in the work of Redemption, she merits for us *de congruo* what He merits *de condigno*, and becomes in the dispensing of graces His Prime Minister.

¹ *La vie spir.*, 1927, p. 353.

² See *Ami du Clergé*, October, 1925.

³ *Summa*, iii., 30, 1.

⁴ Encyc. September, 1894.

⁵ *Third Sermon on Immaculate Conception.*

(b) *The Visitation*.—Mary visits her cousin Elizabeth. She brings her Son to sanctify the Precursor in His mother's womb, and thus becomes the agent of the Divine plan, previously manifested to Zachary.

And it came to pass that when Elizabeth *heard the salutation of Mary*, the infant leaped in her womb. And Elizabeth was filled with the Holy Ghost, and she cried out: . . . 'as soon as the *voice* of thy salutation sounded in my ears, the infant in my womb leaped for joy.'

How significant are the details of this incident! At the *voice* of Mary John was sanctified, and his mother was inspired by the Holy Ghost. Thus, the *first spiritual* favour bestowed by the Incarnate Saviour is related by the Gospel to have been granted through the medium of Mary, and at the sound of her *voice*.

Now [says St. Alphonsus, with many other writers] if these first fruits of Redemption came through Mary, it is reasonable to believe that . . . God . . . established her as the universal channel by which all graces . . . were to reach us.

(c) There is a silence in the Gospel narrative from the incident of the Finding in the Temple to the beginning of the public life of the Saviour. All these years were spent by Mary in the closest intimacy with her Son. Surely, it cannot be without significance for the economy of grace that Christ should have spent thirty years of a life devoted to man's redemption, in the company of Mary. Pius X¹ has written:—

We cannot doubt that it is through Mary we approach to the knowledge of Christ, when we reflect that she alone of the human race enjoyed for thirty years that intimacy and familiarity which exist between a mother and a son.

And Nicolas,² developing this consideration, says:—

Christ was willing to devote thirty years to Mary's heart, out of a life in which only three years were given to the world. He came to redeem, thereby pouring into its pure centre ten times the light and graces that He diffused over the whole world.

(d) St. John, in his description of the marriage of Cana, significantly states that 'the Mother of Jesus was there.'

¹ Encyc., February, 1904.

² *La Vierge Marie d'après l'Évangile*, p. 406.

And whatever be the interpretation placed on the reply of Our Saviour to His mother's request that He should console the embarrassed bridal pair, the *fact* remains that He granted her request and, at her petition, worked His first miracle, 'and manifested His glory, and His disciples believed in Him.' On this passage Nicolas ¹ makes the profound comment:—

The Evangelist does not merely *permit* it to be remarked from a study of the incident that this was the first miracle of the Saviour; but he *brings* it pointedly under our notice. And not merely is it the *first* miracle, but the 'beginning of miracles, *initium signorum.*' As the Visitation had brought the beginning of all *spiritual* favours through the mediation of Mary, so the 'beginning of miracles'—even in the *temporal* order—is also due to the mediation of Mary. Thus, the Gospel shows Jesus not merely giving *Himself* through Mary in the Incarnation, but giving the beginning of all *spiritual* favours through Mary in the Visitation, and of all *temporal* ones through Mary at the marriage feast of Cana—and not merely this, but He anticipates the time of miracles: 'My hour is not yet come,' in order to manifest His *glory*. 'And His disciples believed in Him.' But if they were His disciples, must they not already have believed in Him? What then do these words mean? They signify that the disciples were *strengthened* in faith, and this confirmation resulted from the miracle accomplished at Mary's intercession. Thus do the Scriptures in this incident show Mary's influence in the realms of Nature, Grace, and Glory.

(e) *The Death of the Saviour.*—The consent which Mary gave to the Redeeming Incarnation was confirmed and perfected by her willing sacrifice of her Son on the Cross, by her submissive acceptance of His sufferings and death, and by her union with them. Not merely the theologians, since the Middle Ages, but the Roman Pontiffs themselves, in many official documents, have declared that the Blessed Virgin, by her immolation of her Son for the sake of fallen humanity, her compassion with His sufferings, and her willing endurance of her own Dolours for man's sake, became, dependently on the merits of Christ, an associate in the work of Redemption. Thus, Pope Benedict XV ² writes:—

With Christ suffering and dying she, too, suffered almost unto death. For man's salvation she abdicated her rights as mother over her Son. In order to appease Divine Justice, she immolated Him as far as it lay within her power, so that we may justly say that she has, with Christ, redeemed the world.

¹ Op. cit.

² A.A.S., x. 182.

The same truth has been taught in Encyclical Letters, by Pope Leo XIII (September, 1895), and Pope Pius X (February, 1904). It is not, then, without a deep significance that, on Calvary, Mary was declared by Christ Himself to be our Spiritual Mother. In whatever kind of Scripturist sense we interpret the words: 'Behold thy son; Behold thy mother,' their general meaning cannot be doubted. In his Encyclical of September, 1895, Pope Leo XIII declared: 'John, as the Church has always felt, was designated by Christ as the representative of the human race, and especially of the faithful.' And in his Encyclical of September, 1891, he wrote: 'Christ on the Cross entrusted the entire human race to the care and protection of Mary, and she immediately began to discharge towards it the functions of a mother.' Now, it is a mother's duty to give life to her children, to tend, nourish and protect them. Mary is the *perfect* Spiritual Mother, and how can she discharge these duties towards souls, save by obtaining for them the light and life and strength of the spirit, namely, grace? Mary, therefore, is the Mediatrix of all graces. 'By her communion of will and sorrows with her Son,' says Pope Pius X (Encyc., February, 1904), 'she deserved to be the dispensatrix of all the graces which Jesus won by His death.'

(f) *Pentecost*.—The Descent of the Holy Spirit on the Apostles is, from one point of view, the salient event in the great process of Redemption. It is the first *public* Mission of the Holy Ghost upon the *Church*, both pastors and people; and it is followed by the first sermon of the first Pope, and the conversion of three thousand souls. It is then, we may presume, a type of all future methods of sanctification. And is it not very remarkable that in the solemn preparation of prayer which preceded so great an event, the Acts are careful to point out that Mary was beside the Apostles? Pope Leo XIII may well be quoted here (Encyc., September, 1894):—

Mary, although worthy of heaven, was detained on earth to be the consoler and teacher of the Infant Church. . . . And since the work

of Redemption was not completed until the coming of the Holy Spirit, we see her in the Coenaculum praying with and for the Apostles, to obtain for the Church the coming in all His fullness of the Holy Spirit.

Thus, in all the great crises of the Drama of Redemption, the Scriptures display Mary as the Mediatrix between humanity and its Saviour.

II—THE ARGUMENT FROM TRADITION

In order to build up a theological proof from Tradition, it would be sufficient merely to prove that the Church at *the present time* teaches and believes a certain doctrine as divinely revealed. The Church's belief at *any* period is a sure criterion of Revealed Truth, since what she believes at one period cannot be contradictory of her belief at another period. But, in order to make more *evident* the belief of the Church at the present time in any particular doctrine, it is most desirable to show that this doctrine can be traced historically in the Church back to the earliest days. Accordingly, from 'so great a cloud of witnesses' to the doctrine of Our Lady's Mediation, I shall quote some of the more prominent saints and theologians, contenting myself with citations from about a score of authorities in the different centuries.

(a) *Saints and Theologians*.—Until about A.D. 700 theological writers confine themselves to a merely general affirmation of the Universal Mediation of Mary, and of her Spiritual Maternity of mankind; but these early statements contain in germ the conclusions explicitly deduced by later theologians.

During the first four centuries of Christianity the Fathers assert the doctrine, at least equivalently, in their repeated exposition of the typical antithesis between Eve, as the occasion of death, and Mary, as the occasion of spiritual life, to men. Thus, Tertullian¹ says: 'Eve believed the serpent, Mary believed Gabriel; and the faith of Mary blotted out the fault which Eve committed by her credulity.' St. Irenaeus² writes: 'The Virgin was obedient

¹ *De carne Christi*, 17.

² *Contra Haereses*, v. 19.

to God, so that Mary the Virgin might become the Rescuer (*advocata*) of the Virgin Eve. And as the *human race* was doomed to death through a virgin, so it is *saved* through a virgin.' Father Vassall Phillips, C.S.S.R.,¹ in his beautiful book, *The Mother of Christ*, has pointed out that the word *advocata*, in Irenaeus, does not mean merely 'intercessor,' but 'consoler' and 'rescuer'; and in the light of this interpretation of the passage, its cogency is greatly increased. This contrast between Eve and Mary is alluded to by many other writers, including St. Cyril of Jerusalem and St. Epiphanius. St. Ephrem, who died in A.D. 373, manifestly believed in the Universal Mediation of Mary, since, in his hymns and prayers to her, he addresses her with the titles: 'Hope of the despairing; Most holy Consoler and Guide of *all*; sole Advocate of sinners, Solace of the world, Salvation of *all*, and Joy of the universe.' In one prayer, attributed to St. Ephrem, the author applies to Mary the *title*, 'Mediatrice of all the world,' but the authenticity of the prayer, although upheld by Assemani and Lamy, is not quite certain. The title occurs again in a homily, generally supposed to be the work of Antipater, a famous bishop of Bosra, in Arabia, who died about A.D. 466. But here, too, the authenticity is not beyond doubt. The title, however, is *certainly* applied to Mary during the eighth century, in the writings of St. Andrew of Crete, St. John Damascene and St. Tarasius, Patriarch of Constantinople, and thenceforth it is frequently employed.

In the fifth century, St. Cyril of Alexandria salutes Mary with these words of eulogy²: 'Hail Mary, through whom churches are multiplied in the cities and in the country . . . Hail Mary, through whom *every faithful soul* is saved.' His contemporary, St. Augustine,³ says of Mary: 'She is certainly the mother of us who are the members of Christ, since, by her charity, she co-operated to the birth, in the Church, of the faithful, who are the members of Christ, the Head.'

¹ Op. cit., p. 34.

² Homily xi.

³ *De Sancta Virg.*, vi. 6.

St. Peter Chrysologus,¹ in the same century, writes :—

A Maiden receives the Lord within her breast ; and, in return for the shelter she affords Him, she seeks peace for the *world*, salvation for those who are lost, and life for those who are dead. Thou, O Mary, hast found grace. And how much grace ? Lo ! the fullness of grace, such fullness as would, with copious showers, inundate all creatures.

From the eighth century it will suffice to cite two witnesses. St. Andrew of Crete thus addresses the Blessed Virgin² : ‘ O Mother of God . . . cease not to pray that thy Son may deliver us from *all* trials and temptations. . . . Reigning in heaven, thou art honoured by the *whole world* as its Universal Mediatrix.’

St. Germanus³ is even more explicit : ‘ O holy Virgin, none is saved except through thee ; none is delivered from evils except through thee ; there is no one on whom grace is bestowed save through thee.’

In the eleventh century, St. Peter Damian⁴ prays in these terms : ‘ O Clement Virgin, as through thee the Son of God descended to us, so through thee may we ascend to Him. . . . Thou art the Ladder of God, by thee He has come from heaven to earth, and by thee we attain to heavenly gifts.’

Thus, as one age succeeds another, the doctrine of Our Lady's Mediation grows clearer and more distinct, ‘ as a shining light goeth forward and increaseth even to perfect day.’

St. Anselm,⁵ in the twelfth century, prays to Mary in glowing words :—

May we by thee merit to come to His Glory, Who by thee came to relieve our misery. . . . O Mother of Life, O Mother of Salvation, assist and succour all men. Our Lady and our Mediatrix reconcile us to thy Son. . . . Without thee there is no piety, no holiness ; for thou art the Mother of Virtue and the Mother of all Virtues.

St. Bernard's⁶ statement of the doctrine is formal and precise :—

She was given to the world to be as a Channel, that through her all graces might flow to men. . . . In her God has placed the fulness of every good, so that whatever hope, whatever grace, whatever salvation, we possess, comes, as we know, from her abundance.

¹ *Sermo* 150.

³ *De Dormitione*.

⁵ *Oratio* 47.

² *The Triodia*, passim.

⁴ *Sermons*, xi., xiv.

⁶ *De Aqueductu*.

The concluding phrase from St. Bernard brings into clearer light the implicit statement of Our Lady's Mediation made a hundred years later by the Angelic Doctor. In the *Summa*¹ he writes :—

The Blessed Virgin received such a fullness of grace that she was nearest of all to the Author of Grace ; so that she received within her Him Who is Full of Grace ; and, by bringing Him forth, she, in a manner, dispensed grace to all.

And in his commentary on the Angelic Salutation, he says :

She is styled ' Full of Grace,' with reference to the outpouring of grace on *all* men. It is a great privilege in any Saint to possess grace sufficient for the salvation of *many*. But the greatest privilege of all would be to possess as much grace as would suffice for the salvation of *all mankind* ; and this amount of grace is in Christ and in the Blessed Virgin. For in *all* perils one can obtain safety from her. . . . So, too, in *all* works of virtue, one can enjoy her assistance ; and this she herself affirms : ' In me is *all* hope of life and of virtue' . . . and so she is fittingly called the ' Enlightener ' of others—even of *all* men. . . . As sailors are directed towards the haven by a star, so Christians are directed to Glory by Mary.

In the fourteenth century, Blessed Raymond Jordano² writes : ' Mary is, after her Son, the Mistress of the world. . . . She is the Advocate and Patroness of *all*.'

St. Bernardine of Sienna, in the fifteenth century, declares³ categorically : ' No grace descends to us from heaven save by her dispensation. . . . She is the Neck, as it were, of our Head, through whom all spiritual gifts are communicated to the Mystical Body.' And these words of the Saint are cited and confirmed by Pope Pius X, in his Encyclical of February, 1904.

In the early days of the so-called Reformation St. Thomas⁴ of Villanova writes : ' Whatever grace is granted to humanity, is not granted without her mediation. . . . She has refreshment for all : from her the angels receive glory, the just receive grace, and sinners receive pardon. . . . She is our Advocate, to whom *all* look for help.' Of St. Philip Neri, who died forty years after the

¹ III., q. 27, art. 5.

² *Contemp., de B.V.M.*

³ *Sermon* 13, and *Ferial* 10.

⁴ *Sermons*, t. 2.

death of St. Thomas, we are told by Newman¹ that 'He preached the Blessed Virgin everywhere as the dispensatrix of all the graces which God concedes to the sons of Adam.' The great Jesuit scholar, Salmeron,² in his Scriptural Commentaries, affirms repeatedly, and proves the Universal Mediation of Mary: 'All gifts and graces of God descend to us through Mary. For the greatest gift of God, Christ Himself, has been given to us through her, so that we might understand that all lesser gifts are also bestowed through her.' One of Salmeron's companions was St. Peter Canisius, S.J., who defends the title of Mediatrix, bestowed on Mary: 'She is the Mistress of all religion, the Source of Virtues. She was dowered with abundant grace, not for herself alone, but for the salvation of the *whole* human race.'

For the seventeenth century Suarez³ will give testimony: 'Whatever requests the saints obtain, they procure, so to speak, through Mary. For she is the Mediatrix; and is, as it were, the neck through which the vital influence is communicated from the head to the body. . . .' As Germanus said: 'There is no one on whom any gift is bestowed, except through Mary.'

The life of Blessed Grignon de Montfort is a link between the seventeenth and eighteenth century. Both on his missions and in his books, especially in his famous treatise, *True Devotion to the Blessed Virgin Mary*, he continually emphasized the doctrine of Mediation:—

The Father gives His Son through Mary alone, and gives graces through her alone; the Son is formed in the faithful only through Mary; the Holy Ghost forms the mystical members of the Body of Christ only by means of Mary, and, through her alone, He dispenses His favours.

With St. Alphonsus we conclude our series of links in the long chain of witnesses to Tradition. In him the doctrine of Mary's Mediation found a most effective advocate, for his assured reputation as a theologian lent ever-increasing weight to his teachings in Mariology. These teachings were not acceptable to many Catholic writers of his time,

¹ *Life*, p. 181.

³ *De Mysteriis Vitae*, etc., disp. 23, 3.

² Tome iii. Tract 5.

who were more or less infected by the contagion of Jansenism, and who objected to the devotional expressions with which Catholic Liturgy salutes the Mother of God. Thus, a Breviary which appeared in 1680, with the approbation of the Archbishop of Paris, suppressed many of the traditional antiphons and versicles addressed to the Blessed Virgin. The glowing praises of Our Lady in the 'Hail! Holy Queen!' made that prayer especially obnoxious to the secret supporters of Jansenism; and since Alphonsus believed that attack was the best method of defence, he boldly selected the 'Hail Holy Queen!' as the foundation for his book, *The Glories of Mary*. It appeared in 1750, and was the first of the larger works of the Saint. Its teachings, as he declared in the Introduction, were based on the proposition that 'all graces are granted through the intercession of Mary.' This proposition is one of the fundamental points of the spiritual teaching of St. Alphonsus, and from it he draws certain practical conclusions, which he urges on every class and condition of Christians. Thus, he warns the *faithful* in general, that whosoever wilfully refuses to honour the Blessed Virgin brings upon himself eternal destruction; he recommends all, without exception, to begin and conclude every action with a 'Hail Mary'; and he declares that we should never leave the church after our daily visit to the Blessed Sacrament without saying a few words of salutation to Mary. For the instruction of *religious*, and all who are aiming at real holiness, he lays down the principle: 'It is impossible to make much progress in perfection without a *special* and tender devotion to Mary.' In his book¹ for *priests* he writes: 'A parish priest should see that his people practise great devotion to the Blessed Virgin, by encouraging them to recite the family Rosary, and by announcing her Feasts from the altar. Happy will he be if he keep his people faithful in devotion to God's Mother; for, by her help, they will live piously, and he will die a happy death.' And in his book for *bishops*² he

¹ Selva, '*De obligationibus past.*'

² *Reflections useful for Bishops*, ii. p. 51.

advises the pastors of the flock always, in canonical visitations, 'to exhort the people to pray constantly to the Blessed Virgin, and invoke her in their temptations.' In a word, all his teaching with reference to Our Lady is summed up in a sentence of the Introduction to the *Glories*: 'The salvation of the human race depends on the preaching of devotion to the Blessed Virgin.'

This book met with marvellous and immediate success. In the lifetime of the Saint it was reprinted ten times in Naples alone. And in the year 1870, more than forty-five editions¹ had already appeared in Italian, twenty-four in German, besides many in Spanish, Dutch, English, Flemish and other languages; up to the present time 125 editions have been published in French. Nor was it the only work in which St. Alphonsus propagated the doctrine of Mary's Universal Mediation. The same teaching is found in almost all his devotional writings; and it is formally proposed in the Introduction to his *Visits to the Blessed Sacrament and the Blessed Virgin Mary* (1744), and in his book, *Prayer the Great Means of Salvation* (1759). Of the *Visits* there have been 500 editions in French alone—a total which, excluding the Bible and the *Imitation*, is said to constitute a record. His work on *Prayer* has been published more than seventy times in French, German, Italian, English, Bohemian, Spanish, Polish, Dutch, etc.

It is not surprising, then, that whereas the doctrine had suffered a temporary² eclipse at the time when the Saint began to write, 'after his victorious defence,' as Dublanchy, S.M.,³ points out, 'it met with no more serious opposition, and has been approved by the Church.' The figures given above help us to realize how greatly the marvellous diffusion of the Saint's writings must have contributed to popularize his Mariological teaching. But his writings were not the only weapon with which he defended the prerogatives of his beloved Queen; for his sons, obedient to his solemn

¹ *Summarium de Doctoratu*, p. 521.

² Huçon, O.P., t. ii. p. 779.

³ *Dictionnaire Catholique de théologie*, art. 'Marie.'

injunction, have preached for 150 years the doctrine of their founder, in their innumerable missions throughout Europe and America, as well as in their writings. Their labours to this end have been wonderfully aided by the spread of the devotion to the Mother of Perpetual Succour. By an extraordinary series of providential circumstances they were entrusted with the long-lost miraculous picture of Our Lady of Perpetual Succour, after its recovery; and received¹ in 1866, from Pope Pius IX, the commission to propagate devotion to Our Lady under this title. Now, there is a *very close* connexion between this devotion and the doctrine of Our Lady's Universal Mediation; for the veneration of the Sorrows of Mary—which are the motives of her dispensatory privilege; the manner in which the unknown artist has associated the symbols of Christ's Passion with the Divine Maternity; and, especially, the *title* itself, 'Mother of *Perpetual Succour*,' that is, 'Mother of All Graces'; all these elements in the picture constitute an effective, if silent, apostolate of Mary, as the Universal Mediatrix. That this is not a mere fanciful suggestion may be proved by a quotation from Cardinal Mercier: 'May the Holy Spirit,' he wrote in 1916, 'inspire the present Pontiff, in these sorrowful days, to proclaim dogmatically that the Mother of God and our Mother is *perpetually*, for us all, Our Lady of *Succour*, or, *in other words*, the Universal Mediatrix for humanity at the throne of her Divine Son.' It is worth noting, also, that Pope Pius IX indulgenced, as long ago as May 17, 1866, a prayer beginning: 'O Mother of Perpetual Succour, thou art the dispensatrix of all the graces which God grants to us, poor creatures.' How far-reaching the apostolate of the picture has been, a few facts will show. In France,² the picture was venerated, in 1902, in more than 12,000 churches and public oratories. In the single province of Andalusia, in Spain, there are 1,200 public altars dedicated to Our Lady of Perpetual Succour, and the Medical Corps of the Spanish Army

¹ Henze, C.S.S.R.: *Mater de Perp. Succursu*, p. 79.

² Favre, *N. Dame du P. Secours*, 23.

acknowledges her as Patroness. As for Belgium,¹ in one year, 40,000 copies of the picture were distributed in the city of Liége alone. In Germany, Cardinal Fischer² of Cologne, declared in 1910: 'In this immense Archdiocese there is scarcely a church where this image is not honoured by the faithful with the greatest veneration. And this devotion is daily growing and intensifying throughout the whole of Germany.' In Poland—and almost the same is true of Ireland—the picture is found not merely in the churches, but in nearly every private house. In America also, both North and South, the picture has won amazing popularity. Thus, in Chili, the Archbishop of Santiago declared not long ago: 'There is scarcely a church or chapel in my diocese where this image is not exposed, and most of the churches have an altar dedicated under this title.'

Another proof of the marvellous diffusion of the devotion may be gathered from the immense number of representations of the picture—both large and small—issued by the great continental factories. Thus, in 1902, the Parisian firm of Saudinos-Ritouret had already issued two million copies of the picture; the firm of Bouasse-Libel issued annually 100,000 copies, and another Parisian firm 500,000 copies. The Swiss firm of Benzinger have issued more than three and-a-half million copies. The German firm of Kuhlen had already, in 1919, issued 1,100,000 copies of the image; and the proprietor stated—an opinion confirmed by many other authorities—that no other picture is so widely diffused. Nor are the medals issued less numerous than the pictures. Already, in 1877—fifty years ago—the firm of Robinau, in Paris, had manufactured five million; in 1897 that of Penin, in Lyons, had issued the same number. A Spanish firm, Feu y Auxio, has issued more than three million, and that of Kissing, in Germany, more than ten million.

In the light of these figures it can scarcely be denied that the spread of devotion to Our Lady of Perpetual Succour must have contributed in no small measure, together

¹ De Nolf, *Wereld-Konigin*, p. 84.

² Henze, *op. cit.* p. 72-75.

with the influence of the work and writings of St. Alphonsus, to diffuse amongst the faithful throughout the world a more universal, more explicit, and more lively belief in the doctrine of Mary's Universal Mediation. It is the crowning glory of St. Alphonsus, that, when many Catholics had joined in the carping criticisms of Jansenism against God's Mother, he wrote a treatise on her Immaculate Conception; and in two separate dissertations he vehemently defended Papal Infallibility, at a time when the opposite opinion was prevalent in many¹—if not most—of the contemporary Catholic Schools of theology. And not merely did he defend these two points of doctrine, but expressed his earnest hopes for their definition. His hopes and wishes were realized within a century. Perhaps, in our day, the definition of Our Lady's Universal Mediation may prove that, in regard to this doctrine also, Alphonsus was not merely an Apostle but a Prophet.

(b) *The Liturgy*.—The liturgy is the mirror of the Church's faith. And so manifest is the lesson of the liturgy with reference to Our Lady's Mediation, that it will be sufficient to cite some evidence in very summary form, without entering into details.

Both the frequency of the Church's devotion to Mary, as well as her mode of expressing that devotion, testify to her belief in Mary as Universal Mediatrix. The Church consecrates one day in each week to the Blessed Virgin, and two months in each year; she celebrates a great number of festivals annually in honour of God's Mother; and even in the Feasts of Our Saviour, such as Christmas and Epiphany, Our Lady usually receives remarkable prominence; the Church indulgences and approves, in Mary's honour, innumerable shrines, pilgrimages, celebrations, chaplets, medals, pictures, scapulars, and other forms of devotion. The Supreme Pontiffs are never weary of exhorting the faithful to have recourse to Mary in all their needs, and these exhortations become more frequent and more pressing as the centuries advance. Thus, in our

¹ Vide Hofer-Haas, *St. Clement Hofbauer*, *passim*.

own time, the Code of Canon Law has made the daily Rosary almost an official feature of the sacerdotal life. Thrice each day, the *Angelus* bell summons all Christians to honour Mary publicly; and priests are bound to pray to her before each of the canonical hours, and conclude their Office by the recitation of her antiphon. The *language* of the liturgy is an even clearer testimony of the Church's faith.

The many titles bestowed on Our Lady, in the Litany of Loreto, imply that all graces are dispensed by her hands. And how convincing is the argument furnished by the liturgical hymns and antiphons, etc.

Felix coeli porta. . . .
 Mala nostra pelle
 Bona *cuncta* posce. . . .

Hail, Our *Life*, Our Sweetness, and Our Hope.

Nobis salutem conferant ¹
 Deiparae tot lacrimae,
 Quibus lavare sufficis
Totius orbis crimina. . . .

Christe, cum sit hinc exire,
 Da *per matrem* me venire
 Ad palmam victoriae.

Worthy of special mention is the famous verse 'Gaude, Virgo Maria, *cunctas* haereses *sola* interemisti in universo mundo.'

Further evidence is furnished by the Church's liturgical accommodation—and that from the earliest times—of Scriptural passages to Our Blessed Lady. A few examples will suffice.

I¹ am the Mother of fair love, and of fear, and of knowledge, and of holy hope. In me is *all* grace of the way and of the truth. In me is *all* hope of life and of virtue. . . . They that explain me shall have life everlasting. . . . With³ me are riches and glory. . . . He that shall find me shall . . . have salvation. . . . All that hate me love death.

Finally, we have the most cogent liturgical argument of all, the concession of the Mass and Office of 'The Blessed Virgin Mary, Mediatrix of *All* Graces,' first made to the

¹ *Officium Septem Dol.*

² *Eccelus. xxiv.*

³ *Prov. viii.*

Belgian Episcopate, and then to all Ordinaries who ask for them. The antiphon at the *Magnificat* runs thus: 'Behold my Lord hath given over to me all things, nor is there anything which He has not given to me.' And the Hymn of *Matins* says: 'Whatever gifts the Saviour merited for us, His Mother Mary doth distribute; and, at her wish, her Divine Son pours forth abundantly all His graces.'

(c) A further argument might be drawn from the *consensus* of Bishops throughout the Church; but it is impossible here to give more than a few examples to prove the general agreement with the doctrine stated by the late Bishop Hedley¹: 'There is *no doubt* that *all* grace passes through her hands to come to us.'

(1) In Belgium,² the Episcopate, supported by the University of Louvain and all the Religious Orders, petitioned the Holy See for an authentic recognition of Our Lady as Universal Mediatrix in the distribution of graces.

(2) In Holland, the Provincial Synod of Utrecht declared, in 1865: 'Christ has willed that we should have *all* things through His Mother. Her patronage is our defence against *all* evils. We can obtain *all* things through her, for she is our Mediatrix.'

(3) In Canada, the Provincial Synods of Quebec, in 1854 and 1863, declared 'In Mary is *all* grace of the way and of the truth, *all* hope of life and of virtue. . . . Being Mother of men, she desires all good things for us; and being Mother of God, she can impart them to us.'

(4) In the United States, the Baltimore Provincial Synod of 1849 declared: 'All graces have reached us through Mary; let us, therefore, go with confidence to the throne of grace, relying on the prayers of Christ's Holy Mother, who is always heard.'

(5) In France, the Provincial Synod of Bourges, in 1850, thus spoke of the Blessed Virgin: 'In her God has placed the plentitude of all good, since He willed that we should

¹ *Retreat for Priests*, p. 316.

² Pastoral of Cardinal Mercier, 27th January, 1921.

have *everything* through her—the most powerful Mediatrix of *all* graces.’

And now, having given the main lines of argument for the doctrine under discussion, it remains to explain with precision the extent, nature, and mode of operation of Our Lady's Mediation.

(a) As regards *extent*, there is practically complete agreement amongst theologians—an agreement confirmed by Papal Documents, that Our Lady's Mediation is unlimited. It is unlimited as regards *graces*: she obtains for humanity ‘all graces’¹—each individually and all without exception—habitual grace, actual graces, infused virtues, *charismata*, miracles—even when *asked through the intercession of a particular saint*—even temporal favours also, considered with reference to salvation; even the grace produced *ex opere operato* by the Sacraments is dispensed by Mary, for she obtains for us each and every *opportunity* of receiving a Sacrament as well as the *dispositions* which make the reception fruitful.’ Her Mediation is unlimited as regards the *persons* to whom it is applied. It is certain that all who lived *before* Our Lady's time received each single grace in virtue of the foreseen *merits* of Mary and of her prayers *in so far* as they were meritorious, secondarily, and in dependence on the foreseen merits of Christ. This is the teaching of St. Ephrem, St. Bernard, St. Antoninus, St. Alphonsus, Terrien, and in fact of nearly all the theologians, and is confirmed by the Encyclicals of Pope Leo XIII. Bittremieux, Lavaud, Dublanchy and Cardinal Lépicié² assert that, for all who lived *before* Mary, her Mediation is one of *foreseen merit alone*; although amongst her merits are to be included all her good works, including *prayers*³ But in the case of all who have lived

¹ St. Alphonsus, Bittremieux, Lavaud, Billot, etc.

² *De B. V. Maria*, p. 405.

³ NOTE.—It is not easy to see why these theologians are so positive in excluding the Universal Mediation of Mary by *prayer*, as applied to all who lived *before* the Christian era. For, on the one hand, theologians are agreed (Dublanchy, op. cit., p. 2434; Suarez, *De Myster.*, disp. 21, 3) that the Blessed Virgin in glory sees clearly everything concerning the soul and salvation of every single member—past, present and future—of the human race. On the other

since her time no *single* grace is granted, or can be granted, except through not *merely* the *merits*, but the *prayer* of Mary. Her intercession is essential, in the actual Providence of God, for the bestowal, not merely of most graces, but of all—absolutely all. This doctrine I hope I have already clearly proved. As for Adam, in his unfallen state, if we hold the Thomistic ¹ view that without sin there would have been

hand, there seems no reason to deny that God could have applied during their lives, to all the members of the human race who lived before the Christian Era, the graces obtained for them through the foreseen *prayers* which Mary has since offered for them. In a somewhat similar way, humanity, before Christ, received all graces through the foreseen *merits* of Christ and (secondarily) His Mother. So too, Suarez and others hold that God can apply to the dying *now* those prayers which the Church will offer for them in Requiem Masses after their death. Suarez writes (*De Poenit.*, disp. 48, 5, 12): 'It is probable that the prayers of the Church offered even *after* the death of a sinner can, by God's prescience, have availed him *before* death, to preserve him from damnation.' Similarly, Stentrup writes (*Soteriol. Theses*, p. 135): 'We can now pray that something may have been done in the past'—that is, of course, as long as we have not certainty that God has decided things otherwise. Pohle-Preuss says: 'In consideration of many Masses which He has foreseen (to be said *after* death) God may release a soul *immediately* after death' (from Purgatory). This doctrine is assumed as certain by the *Revue des Objections* (1922, p. 495 and p. 448): 'We can pray for a deceased sinner; this prayer will not take him out of hell *if* he is there: but God has seen *before* the sinner's death the prayers that are said after his death, and could have taken account of them by giving the sinner the grace of conversion.' The *Ami du Clergé* also takes this doctrine for granted (1926, p. 560). Mgr. Chollet, Archbishop of Cambrai, maintains it in his book *Our Dead* (Paris, 1908), and even preaches it to his people in his Pastoral of 1923 (*La Docum. Cath.*, 17th February, 1923). (See also Pesch, S.J., *Dogma*, 3rd ed., vol. ix., p. 312, and Du Petit Bornand, *The Retro-activity of Prayer*). What objection then can be made against the opinion that all graces before Christ—as after—were granted to the retroactive prayers, that is, the foreseen prayers, of Mary? While it may readily be conceded that prayer of this kind is not according to the usual practice of the Church; yet it must be realized that the prayers, as well as the merits, of Christ and of His Glorious Mother have an efficacy quite different in its nature from those that we offer. It is certain, as has been said, that fallen humanity before Christ received all graces through the *provision* of His merits and those of His Mother. And to the objection that might be made against our supposing Mary to pray even for those already lost, it may be answered that Christ died for all, even for those whom He knew to be already lost. Moreover, it is certain (Egger, *Dogma*, i. 417) that He prayed—though not with an absolute will—for those who—as He knew—were not predestined. So too, as Cardinal Lepicier writes (*De Beat. V. Maria*, p. 409): 'The Blessed Virgin will antecedently the salvation of all; but, as she knows perfectly who are to be saved, she does not pray in an equal way for all, but in a special manner for those who are destined to obtain salvation.' (Similarly, Suarez, *De Relig.*, i. xi.)

¹ Hugon, O.P., ii. 718.

no Incarnation, then it follows that the *essential* grace of unfallen Adam was not conferred in virtue of the merits of Christ, nor in virtue (secondarily) of those of Mary. On the Scotist assumption that, even without sin, the Incarnation would have taken place, the opposite opinion would be true with reference to Adam. Similarly, on Thomistic teaching, the angels owe not their essential, but their accidental glory to Christ, and consequently to Mary. Here, again, the Scotists hold that the angels owe their essential glory to Christ and, consequently, to Mary.

As regards the souls in purgatory ; Mary ¹ helps them in various ways ; she prays for them herself, and obtains ² for the living *all* the graces which determine them to offer sacrifices, prayers, and indulgences for the departed.

(b) With regard to the *nature* of Mary's Mediation in the dispensation of graces, it is *certain* that it is, *at least*, a mediation by *intercession*. This intercession resembles, in some respects, that of the Saints ; but it differs, also, inasmuch as it is *universal*, and, whereas their intercession is that of servants only, hers is that of a mother, praying to her Son on behalf of her children, in whose redemption she, by His grace, co-operated. Moreover, it is clear from what has been already said, that the prayers of the Saints for their clients depend on the intercession made by Mary. This is the ordinary teaching of theologians, and notably of St. Anselm,³ St. Bernard, Suarez,⁴ St. Alphonsus, Piazza,⁵ Terrien,⁶ Bittremieux, etc., and Pope Benedict XV confirmed it in a public allocution, delivered April 6, 1919. 'In every prodigy we *must* recognize the Mediation of Mary, even when it seems that a miracle is to be attributed to the intercession of some particular Saint.' It would, however, be a serious error to suppose that the Mediation of Our Lady implies that without prayer *to* her we obtain *no* grace. On the contrary, it is certain, as St. Alphonsus remarks, that she obtains many graces for us without

¹ *St. Alphonsus. Lépicier, op. cit.*

² *Pesch., op. cit.*

³ *Oratio* 46.

⁴ *Op. cit., disp. 23, sec. 3.*

⁵ *Vindiciae, ii. 5.*

⁶ *Op. cit., vol. iii. p. 590.*

having prayed to her. In fact, since every prayer to God, as Suarez ¹ shows, depends implicitly on the merits of Christ, so it is dependent implicitly on the intercession—unless it be positively excluded—of the Mother of God. But, of course, it is a reasonable conclusion from what has been said that, the more explicit and frequent our prayers to Mary, the more graces she will obtain for us. It must also be remembered that both the intercession of Mary, and its results, are totally dependent on the merits of Christ; consequently, her intercession *in no way* derogates from the supreme efficacy of Christ's merits.

Her Mediation, as has been already pointed out, is at least one of *intercession*. But is it more? Does her Mediation imply any kind of instrumental *causality*? The question is a difficult one to answer. The language of the older theologians is not decisive; it certainly includes the idea of intercession, but it *may* include more. The expression, consecrated by centuries of usage, 'All graces come through the hands of Mary,' though almost universally interpreted as implying only intercession, is *in itself*, capable of a wider signification. Modern theologians are divided on the question. Bittremieux, Merkelbach, and others, claim that Mary's Mediation includes that kind of *efficient intentional* causality which Cardinal Billot attributes to the Sacraments—in other words, her Mediation gives to those for whom she prays a *title* to receive graces; and God confers His favours on them, in virtue of the intercession and wish of His Mother. Other modern theologians—and their number is increasing—are prepared to go further, and to recognize in Mary a *physical instrumental efficiency* of grace, such as the Thomists generally attribute to the Sacraments. It is true that Suarez ² strongly disapproves of the opinion which attributes to Mary a physical instrumental efficiency of grace, or an habitual instrumental physical efficiency in the bestowal of other divine favours besides grace. Nevertheless, theologians such as Lavaud, Canon Lebon,³

¹ Loc. cit.

² Loc. cit.

³ *N.R.T.*, loc. cit.

Hugon,¹ Commer,² Clémens, etc., are inclined to attribute to Our Lady in heaven, an habitual physical instrumental efficiency in the production of all graces. Bittremieux boldly declares (*Revue Thomiste*, 1927, p. 444): 'If I admitted physical causality in the case of Christ's Humanity, I should not hesitate to admit it in the case of the Blessed Virgin.' It must be admitted, however, that St. Thomas shows no trace of such a view; and, according to Godts, nowhere does St. Alphonsus explicitly attribute to Mary an habitual physical efficiency of grace.

(c) As regards the *time* when Mary commenced her office of Universal Mediatrix there is again diversity of opinion on details, and sometimes great obscurity in the writings of the theologians. The prevailing view is that the universal dispensation of graces through the hands of Mary began only with her Assumption. St. Alphonsus³ accepts the opinion of St. Bernadine of Sienna, that all graces passed through the hands of Mary, from the time of the *Incarnation*. Suarez, however, contradicts this view. St. Alphonsus, indeed, in one passage, speaks of Mary as fulfilling the office of Mediatrix, from the time of her *Conception*. But, perhaps, the Saint means only that Mary, even then, contributed by her merits and intercession to the salvation of humanity. But on the *main* question, St. Alphonsus is in agreement⁴ with the received opinion, namely, that the *plenary* exercise of her Universal Mediatory intercession did not commence until after the Assumption.

It may be taken for granted that a definition—should it come—will not decide the details freely disputed amongst theologians, for example: the mode of causality in Mary's Mediation—apart from intercession; or the Thomist-Scotist controversy on the extent of the application of Christ's merits; or the degree of intercessory Mediation granted to Mary *during life*: but will confine itself to what is certain: a Universal *intercessory* Mediation of Mary *in Glory*, for all to whom Christ's merits are applied.

¹ *La causalité*, 1924.

² *La Vie Spir.*, loc. cit.

³ *Glories*, Edit., Dujardin, i., 159, 347, 401, 465.

⁴ *Op. cit.*, p. 462, 464.

The opportuneness of the definition scarcely calls for comment. It surely must be conceded that, if all graces come through Mary's hands, the infallible declaration of this truth will be the herald of immense benefits for humanity. The day of that definition we can all hasten by our prayers and sacrifices, and by making the doctrine better known to our people. And it may be that even more can be done. Surely, it is not too much to hope, that advantage will be taken of this year's Centennial Celebrations to present to Rome a national and official petition for the definition of the glorious Assumption and Universal Mediation of that Immaculate Virgin, to whose intercession we are indebted for the gift of the Faith, for our perseverance in it, and the freedom, which we now enjoy, to practise it.

J. A. CLEARY, C.S.S.R.

CONSIDERATIONS ON THE TRIAL OF JOHN OGILVIE

BY REV. W. E. BROWN, M.A.

II

AT the final trial of John Ogilvie on March 10, 1615, the prosecutor for the Crown accused him of treason, and the jury found him guilty because (i) he 'refused to answer to divers interrogatories' proposed to him by authority of the King, and (ii) because he 'professedly avouched the Pope of Rome's jurisdiction.' In our last issue I endeavoured to show that, even if we put the case for the State in the most favourable manner, there was no just cause against Ogilvie, provided that his refusal to answer the interrogatories, and his assertion of Papal jurisdiction, were incumbent on him as a loyal Catholic. I want, now, to examine that proviso.

There are a few preliminary conditions to the enquiry to be stated. In the first place we are assuming that the claim of the Catholic Church is valid. Our enquiry is not into the truth of the Catholic Faith, but whether some particular actions were loyal to the Catholic Church. Loyalty to a Society implies first and foremost the acceptance of the claim which that society makes for itself, and so we must accept the claim *ex hypothesi* before we can determine whether a man is loyal to it.

Further, it must be pointed out that we are not enquiring at this stage whether the opinions which Ogilvie held were defined by the Church, but whether the State in punishing them proceeded against him as a loyal Catholic. The difference is important. The Church claims that it has from God the right to the loyalty of her members, and that she is divinely protected from leading them astray. If, then, the claim of the Church be granted, that authority of the State which comes from God, i.e., its

moral authority, does not touch the loyalty of Catholics to the Church. It may be that a widespread opinion of Catholics at any given time is mistaken in supposing that a particular doctrine is contained implicitly in divine revelation; it may be, as the phrase goes, merely a pious opinion. Nevertheless, they hold that doctrine as loyal Catholics, and the Church, in allowing them to do so, approves it, and therefore the State, which has no authority from God in the matter, has no moral right to punish for it. If the State then executes a man for what is a pious opinion among Catholics, it is executing him because he is a Catholic. I do not say that he is a martyr—that is another question—but the State has no just cause against him, and he dies as a Catholic. In just the same way an Englishman may be put to death as an Englishman, and yet for maintaining an attitude which is not obligatory on him by the laws of his country.

A Catholic then, at all times, must hold that the moral authority of the State is limited by the fact of the existence of the Catholic Church. He believes that this has been constituted the sole authority in matters of religion, and that he must at all costs be loyal to it. If the State puts him to death for this opinion, he dies because he is a Catholic. In the persecutions of the sixteenth century it is sometimes difficult to reduce the quarrel between the Government and their Catholic prisoners to this issue; but in the case of John Ogilvie it is comparatively easy. This is so, partly because James VI was himself a theorist, and so, was willing to have the accusations put in accurate form. On the other hand Elizabeth had cared more for political success than for political doctrine, and it was more convenient for her to allow the issues to be obscured. Partly also the clarity of Ogilvie's case is due to the fact that we possess a coherent account of his trial from both sides; and partly also to the fact that Ogilvie was a ready speaker, and anxious to explain to his judges what he was doing—and why he was doing it.

In the first of his examinations he made it clear that

the Catholic claim depends, not on any rights of conscience, but on the positive mission which Christ gave to the Church. 'Christ's sheep,' he said, 'were committed to Peter's charge; who so would feed them, be it in any part soever of the world, must seek his authority from the Apostolic See.' So he put the whole question of matters of religion, and authority to teach religion, as a question of what the Catholic Church claims. If the Catholic Church gives jurisdiction to teach, then Christ gives it. 'I can trace my jurisdiction (i.e., my mission to unteach heresy) through all the Pontiffs back to Christ.' The Protestant defence was, of course, that the Popes had exceeded this authority given them by God, even if it had been given. Ogilvie did not fall into the error of arguing *a posteriori* that the Papal claims were contained in Scripture or elsewhere. He put the matter, as a Catholic must, on the ground of the divine promise. Since Christ has promised that the Apostolic See shall never fail in its mission, it cannot here and now have failed. 'There (i.e., in the Apostolic See)' he said, 'according to Christ's promise, by the infallible aid of the Holy Spirit, through the unbroken human succession, are preserved the authority and power given first to the Prince of the Apostles.' From this attitude of mind—the only logical one for a Catholic—Ogilvie never once wavered. His judges urged that the King was not a layman; Ogilvie replied that neither the King nor the Protestant Bishops had any authority from Peter, and were all laymen alike. At Edinburgh, later, one of the judges urged that the King had forbidden Masses in his dominions. Ogilvie did not claim that the Mass was an act of worship, and its saying a question of conscience. He put the question simply on the ground of a positive command: Christ had instituted the Mass, and ordered it to be offered up, therefore, no other command could supersede this. So, from first to last, he defended the authority of the Pope as being measured only by Christ's positive commission, and in no way by considerations of politics. At Glasgow, a few days before the final trial, they asked him whether the Pope could

excommunicate the King, and he replied : ' Yes ; if he is a baptized Christian.' They asked him his justification, and he replied : ' The Pope acquires authority over man by baptism ; by that man enters the Church, is made a member of the mystic body, a sheep of Christ's flock whose shepherd is the Pope.'

The statements of Ogilvie, quoted hitherto, were such as he was bound, as a Catholic, to make. If the Pope were not given exclusive authority over all matters of religion by Christ, the Catholic claim would cease to be valid. So long as the discussion is concerned with the question : did Ogilvie die as a Catholic, we must assume that validity. But King James VI introduced into the indictment of the Jesuit some applications of the Catholic claim, and a new question, therefore, arises : were Ogilvie's answers legitimate applications of that claim ? If they were, he died as a Catholic, if they were not, he may have died only for an opinion. Advisedly I say ' may,' because, even though his deductions were not legitimate, they may have been commonly held by Catholics, and then the expression of them would be the act of a loyal Catholic. The King might have been justified in denying them, and yet not have been justified in executing for them ; they may not have been binding on faith, and yet a man might have died for them as a Catholic.

Before Ogilvie's final trial, the King sent five questions to be asked of Ogilvie, and his answers to them formed part of the indictment of his trial. The first one was ' whether the Pope be judge, and has power *in spiritualibus*, over His Majesty, and whether that power will reach over his Majesty even *in temporalibus*, if it be *in ordine ad spiritualia*, as Bellarmine affirmeth.' The first part of that question had already been answered by Ogilvie : any Catholic, i.e., one who affirms that Christ gave Peter unique authority in spiritual matters, must affirm such a power to belong to the Pope. The second part of the question, and the other four questions, were applications of the Catholic claim, and their legitimacy must, therefore, be

considered. If they were such that the common sense of Catholics held them to be implied by the nature of the Catholic Church, then a man who was condemned for holding them was condemned as a Catholic.

When Catholic men applied their belief in the unique religious authority of the Church to the problem of its relations to the State, they had come to conclusions which fell into two main groups. There had been some who held that by Christ's commission all moral authority over Christian men was ultimately vested in Peter and his successors. They argued that all moral authority must be derived from him to whom Christ had committed the care of guiding Christians to the end of the moral order, the sanctification of their souls and everlasting life. It was the view defended by the great Englishman, John of Salisbury, and by some other canonists of the Middle Ages. His conclusions were that the moral authority of the State was a concession from the Pope, who could, therefore, exercise authority directly, and in all matters, over the civil laws, judgments, and magistrates. Though this view had been held by some canonists, it seems to be contrary to express declarations of Innocent III and of Boniface VIII. It could scarcely be called common amongst Catholics in the seventeenth century. In any case it was clearly repudiated by Ogilvie when he talked of the King's 'natural right' to be a King, for by this theory the King's right came by Papal concession, whether express or tacit, and in no way from 'nature.'

A second theory held that, since God had created man to live in society, and under moral authority, he had, therefore, implanted in and through man's nature the moral duty of obedience to civil authority. Further, the supporters of this theory held that when Christ constituted His Church he did not replace the social order, with its moral sanction by another, but left it intact. They believed, of course, that the individual Christian, whether King or subject, is bound to direct all his actions to the eternal life, the means which have been entrusted by Christ to the Church.

But they believed that all that makes up the order of civil society, its laws, its powers, its magistracies, were left by Christ for their own independent purpose, the securing of common temporal peace and happiness for man. They concluded, therefore, that the Pope has no immediate or direct jurisdiction over these things ; but that the sanction of them is in man's nature as created by God. It will be said at once that this theory is purely speculative, for in practice the difficulty is to know which matters belong to which order, or rather to decide what is to be done when a particular matter belongs on one ground to the State, and on another to the Church. The exponents of the theory had faced this problem. Since God has created both Church and State, they argued, there must be harmony between them ; since he has given to the Church the nobler end, the achievement that is, of life everlasting, nothing must be allowed to stand in the way of that supreme purpose ; and since God gives the Church unfailing assistance in her work, her judgment on these matters must prevail. So they argued that whenever the acts of the State were such that they could be so useful to Her as almost to be necessary for Her work, the Church had authority from God to command such acts. The latter would, naturally enough, be of rare occurrence, and would be subject to the authority of the Church only in so far as they were necessary to the fulfilment of the task which God had given Her, and in the fulfilment of which He had promised Her His assistance. This theory is equivalent to that which Innocent III. expounded in a famous constitution, and it seems to be the one which Boniface had in mind when he issued the great Bull *Unam Sanctam*. It was the theory of nearly all the great theologians of the Middle Ages, and at the time of Ogilvie's trial had recently been expounded with great brilliance by Cardinal Bellarmine, who had given it the not too fortunate name of the theory of indirect power.

There was one practical application of this theory of supreme importance. Supposing the ruler of the civil State directed all his power to an attack on the Church—

could the Pope deprive him of his moral authority, declare his subjects free to disobey him, even in an extreme case sentence him to death? Generally speaking the exponents of the theory answered in the affirmative, and it would seem to be a logical result of the theory. It must be pointed out that not every quarrel between Church and State was involved in this question, but only those in which the ruler of the latter attempted to destroy the Church or to prevent her from carrying out the mission which God had given her. The argument could be put in two ways. It might be said that a ruler acting thus made himself the professed enemy of the order of things created by God, and so lost the moral authority which he held by remaining in that order. Since the Pope was the supreme judge of the moral law he alone could rightly declare when this condition of things existed. It might also be argued thus: when the ruler of a State attempted to overthrow the Church, and directed all his power to this end, it was necessary for the Church's divine mission that his power should be taken from him; the supreme pastor of the Church could, therefore, command all his Christian subjects to refuse him obedience, and even, if necessary, to sentence him to death.

It will be seen at once that the doctrine of the deposing power is a deduction from a theory which had not been defined. No one could say that Pope or Council had expressly declared the Holy See to possess either direct or indirect power over Christian Kings. On the other hand, to be accurate, one must add that some theory, such as Bellarmine's, was held by a very large number of Catholics loyal to the Church, and that the Holy See appeared to approve their holding it. Further, it is certain that Popes had exercised such power as was claimed for them by the theory, and had exercised it expressly in virtue of their being successors of Peter. Innocent III had declared John of England to have forfeited his right to reign, and Pius V had declared Elizabeth to have no legitimate title to rule after 1570. Neither of these Acts contained an express declaration of Bellarmine's theory or of any similar one; nevertheless, they would be hard to justify on any other ground.

It would seem then that a loyal Catholic would hold either the theory of indirect power or something similar to it. This, however, can be said for certain: in the year of Ogilvie's trial no loyal Catholic could affirm that it was contrary to the Catholic Faith to hold that the Pope had some power over Christian Kings. This is clearly shown by the history of the English oath of allegiance. In the year 1606 James VI required his Catholic subjects to swear that 'the Pope, neither of himself nor by any authority of the Church or See of Rome, or by any other means with any other, hath any power or authority to depose the King, or to dispose of any of His Majesty's Kingdoms or Dominions, . . . or to authorize any foreign prince to invade or annoy him, . . . or to discharge any of his subjects of their allegiance to his Majesty . . . ' Further, he required them to swear: 'That I do from my heart abhor, as impious and heretical, this damnable doctrine that Princes which be excommunicated by the Pope, may be deposed or murdered by their subjects . . . '

This oath was condemned by Paul V as containing many things contrary to faith and salvation. Since the oath contained so many propositions it is not possible to say that the condemnation bound a loyal Catholic to deny any single one of the propositions of the oath. Nay, more, since the oath was part and parcel of a whole series of anti-Catholic statutes, it would be possible to say that it was only the sense which the oath bore at the time when it was issued which was contrary to faith; so at least Father Broderick seems to argue in his recent study of Cardinal Bellarmine.¹

Whatever the cause of the condemnation, the Pope made it effective. George Blackwell, the priest who had chief charge of English Catholics, did defend the oath, when pressed, bullied, or tricked (it matters little which) by the State to do so; for doing so, he was deposed by the Pope from his office. So it must be said that, in view of the Papal brief, and in view of the general opinion of Catholics, who were free to express their opinions, no loyal

¹ Brodrick: *Life and Work of Blessed Robert Bellarmine* (1928, ii. p, 177n).

Catholic could assert unconditionally that Bellarmine's theory was contrary to the Catholic Faith. If he did so, he would be asserting the legitimacy of the oath at the time it was issued.

It is commonly supposed that the English martyrs of the sixteenth and seventeenth centuries died for the doctrine which Bellarmine defended with his pen, namely, that the Pope has some sort of authority over Christian Kings, even occasionally, in temporal matters. Not least is this believed of John Ogilvie, and even Father Brodrick, in his scholarly study, makes this assertion.¹ Now, I say that if Ogilvie had maintained Bellarmine's doctrine, he would have been acting as a loyal Catholic, even though it had not been defined. But in actual fact Ogilvie did nothing of the sort. The account of his friends and the account of his enemies is exactly the same. They laid the books of the Cardinal and of Suarez on the table, and they asked him: 'Do you maintain the power of the Pope over the King *in temporalibus* if they be *in ordine ad spiritualia*?' And as the record of the Government has it, 'he says that he is not obliged to declare his opinion therein, except to him that is judge of controversies of religion, which he acknowledged to be the Pope, or some one having authority from him.' To the applications of Bellarmine's theory which were contained in the other questions his reply was, again according to the Government account, exactly the same. These were the answers on which he was condemned. I have said that in my opinion a loyal Catholic of that time would hold Bellarmine's teaching on this point or something like it. Even though that opinion be wrong it does not affect Ogilvie's case. He was condemned for refusing to declare heretical what the Pope had shown must not be declared heretical. He was condemned, therefore, for denying the authority of the State in a matter which the Church claimed to be one of religion. He died, therefore, because he was a loyal Catholic. It remains to see whether the evidence points to his being a martyr.

W. E. BROWN.

[To be concluded.]

¹ Op. cit. ii. 236.

CLEMENT VII AND THE SACK OF ROME

BY REV. JOHN JOHNSON

IT was unfortunate for Catholicity, that, at a time when the Church trembled on the verge of a spiritual earthquake in Northern Europe, and the last stronghold of the Knights of St. John had fallen before the Turks, the Italian situation should have absorbed all the energies of the Emperor and of the Pope. Yet the Papal policy of the late Renaissance left no choice. Strong Popes, like Alexander and Julius, had welded their territories into a compact realm; their cities had been purged of 'tyrants,' and a place had been taken beside the lesser European States in political equality. It was a time when princes were more anxious to extend their possessions than to espouse the common cause of Christendom, and the miserable failure of Pius II (1464) to excite a crusade showed that a new page had been turned in European history, and a new historian arrived to chronicle it in the 'Prince' of Macchiavelli. Leo X had continued the policy. Hadrian VI had tried to check it, but he was an unhappy Pope. A foreigner, a reformer, and a saint, the Romans would have none of his sanctity or his reforms, and when he died his cynical subjects crowned with laurels the house of his physician, writing above the door *Liberatori Patriae*.

Clement VII had followed in 1523. He was a Medici of the same family as Leo X, and he carried all the prestige of the great Florentine name. His accession was hailed as a return to the good old time for Renaissance Rome, which had shivered in eclipse under his stern predecessor. Had they but known what was in store for Renaissance Rome before his pontificate ended their rejoicings would have been somewhat more subdued. For the times were out of joint. All Europe was rocking in a

grim struggle between the House of Hapsburg and the House of Valois. The Continent was one vast arena, which excluded mere spectators on account of the wide extent of the Hapsburg interests.

The protagonists were the Emperor, Charles V, and Francis I, King of France, and the prize was Italy. Francis was a typical Renaissance dilettante. He sought the conversation of writers and artists, and shunned that of politicians and statesmen. He could hold his own in a literary discussion, and possessed that useful French quality of *esprit* which endeared him to a people having little reason to love him, because, like most of the shallow supermen of the time, he wanted glory and fame, regardless of its cost—to others. Few reigns were more disastrous than his: few battles more crushing than Pavia; few treaties more disgraceful than Madrid. His shrewd uncle, Louis XII, had said, 'This fat boy will ruin everything,' and though he did, the people forgave him because he knew how to play the King. Now, Charles was the direct opposite. Destined from his cradle to a mighty inheritance, he had tried to study for his part, and the work had made him old before his time. One never associated youth with Charles. Born in 1500, he was a King in 1516, an Emperor in 1519, and such an Emperor! His territories included the Holy Roman Empire, Spain, Flanders, Naples, and Milan, and unmeasured stretches of a world just newly found. Under him Cortez conquered Mexico, and Pizarro subdued Peru. For him the Spanish galleons carried their golden cargoes, and to him Catholic Europe looked up in the greatest crisis of her history. Well might he shudder at his responsibilities, because it was an age and a position charged with great potentialities, and when he retired after his uneasy reign to the monastery of St. Juste, he left behind him a weakened Empire, a triumphant Protestantism, and brought with him the indelible stain of the sack of Rome.

At the battle of Pavia, 1525, Francis I was beaten. He lost his army, his nobles, his liberty, 'all,' as he himself would write to the Queen Mother, 'all, save honour';

but, going a prisoner to Madrid and beating, bird-like, against the bars of his captivity, he lost his honour also. For he signed a treaty that he did not keep. His two little sons, aged seven and eight, remained in Spain as hostages for their father's word, and when that word was broken their fate was hard. They were hurried from prison to prison until the memory of the ill usage burned into their souls, and kept French Policy anti-Spanish for a generation.

The war was resumed, and when the French ambassador demanded the return of the hostages in exchange for a money ransom, Charles refused to have any dealings with a King who was 'neither a gentleman nor a knight.' It was a strange appeal to the vanishing shadow of chivalry—this reference to knights; Maximilian, the Emperor's grandfather, had been called 'the last of the knights.'

Pavia, the Imperial victory, had been a shock to Italy. It was followed by a diplomatic scramble, a readjustment of alliances, from which the Papacy could not stand aloof. French stock was low; but the very completeness of the victory made Charles the greater danger and, accordingly, Francis was able to engineer a Holy League against his rival. The Pope was in a dilemma. Both monarchs were Catholics, the rulers of the greatest Catholic States—though Francis had absent-mindedly allied himself with the Turk—and the horizon was growing dark with the smoke of a Papal bull recently burned in Wittenberg. Clement wished to be neutral—but Clement must take sides. Charles played the card of Luther; Francis hinted at a Council. Clement must decide, and decision was a nightmare for Clement. He was a good Pope. Generous without extravagance, mortified without narrow-mindedness, enlightened without worldliness, and widely experienced in affairs of State, he seemed to possess all the qualities for a successful spiritual ruler were it not that he was cursed with the fatal failing of indecision. It vitiated everything he touched. He never could make up his mind. He postponed and postponed, until circumstances took the

direction out of his hands and left him lamenting. Always puzzled, he belonged to that unhappy class of people whose ideas do not grow more clear by thinking; who fear they have always decided amiss. It was a trying time for a hesitating man. He was called upon to select France or Charles, to tackle the Lutheran peril in Germany, to rouse Christendom against Islam, and to settle the matrimonial problems of Henry VIII. History shows us the fruits of his indecision; he himself felt them in the Sack of Rome.

At first he had sided with the Emperor. Francis had pretensions on Naples and Milan, but after Pavia the Imperial danger loomed larger, and Clement changed sides. It was foolish to oppose the Emperor just then. Francis, released as on ticket of leave, could do little beyond promise; Venice, wrapped in her secular selfishness, was not stirring without urgent cause; Florence moved uneasily, but the other States awaited a lead, and looked towards Rome, so that Clement found himself facing the full blast almost alone.

There was an Imperial army in Lombardy under the Constable of Bourbon—a French noble who had deserted his King. The army of the League was there also, with some of the troops of Francis; but the campaign round Milan had lost to the Papacy its best defender, in the death of the famous Giovanni di Medici, John of the Black Bands, as he was called, from the mercenaries that he led. He was a relation of the Pope, and took his orders from Rome. Pietro Aretino, the first modern journalist in history, was with the Black Bands when Giovanni died of his wounds, and he has left us a vivid account of the last hours of the great Condottiere. The Imperial legions could move on Rome. This was at the end of the year 1526. The army of the League, under the Duke of Urbino, withdrew towards the Florentine frontier, and its movements were suspicious. At a time when generals changed sides unexpectedly, Urbino could not be trusted, nor could he trust his men. There was little question of principle in these free-lance

battles, and it was chiefly family considerations that kept a commander loyal. Hence, the loss of Giovanni of the Black Bands.

The Emperor's army moved out of the Milanese, and commenced to pour down towards Umbria. There were German Lutherans, under Georg Frundsberg, anxious to hang the Pope and stable their horses in the venerated shrines of Catholicity; there were Spaniards, chiefly Moors and Jews, who could not be expected to have much respect for the Capital of Christendom; there were Neapolitans, with more than a pint of Saracenic blood in their veins. Altogether a terrifying mob, by courtesy called an army, under the leadership of Bourbon, Philibert of Orange, and Frundsberg.

On it came, a force without money, without food, without boots, almost without clothes, soon to be without responsible leaders. Italy shuddered at the new barbarians. Their pay was in arrears, and their commander had to promise plunder. They abandoned much of their artillery in the snow-clad Appenines, and pressed onward towards the South. At first they had hoped for a sack of Florence; but the army of the League was there, and when they were diverted they mutinied. The Spaniards started. They rushed to the tent of Bourbon, demanding their pay, and the general saved his life by sudden flight. There was no use trying to reason with that horde, as Frundsberg found, when the Germans followed the example of the Spaniards. He mounted a box, and tried to harangue 'his children' into discipline; but the disorder increased, and Frundsberg, endeavouring to make himself heard, shouted until he was stricken with apoplexy. He swayed and fell dead; but his death did not disband the Landsknechts. He did not live to hang the Pope or stable his horse in St. Peter's. The mutineers pressed on, and Bourbon was forced—no longer a leader—to head them towards Rome.

In Rome the news of the impending avalanche caused consternation, and Clement selected that moment to dismiss more of his troops, including the famous Black Bands of

Giovanni di Medici, so that it looked as if an undefended city would greet the invaders whenever they should appear. Everyone was astonished, and the feeling of uneasiness grew. They knew the calibre of the advancing host, and a shudder of vague terror passed through the city, such as passes over a people on the eve of a great calamity. Northern Europe had felt it before the Protestant Reformation, and it had stirred France in frightened uncertainty in the winter of 1788. It gave rise to prophets and prophecies, all grimly pessimistic, and one such preacher, named Brandano, terrified the Romans with his forebodings of doom. He threatened everyone, from the Pope downwards, with the vengeance of God; and his strange, emaciated figure, garbed like an anchorite, seemed that of a visitant from another world. Many believed that he was a saint; others considered him a madman. But there was reason enough for his dismal predictions, for the Imperialists continued to advance. They passed along the Florentine frontier, where Lannoy, the Viceroy of Naples, made a half-hearted attempt to stop them with an offer of 60,000 ducats. Bourbon asked 300,000. They passed on through Umbria, trembling villagers and peasants noting their progress. They passed into Lazio, the province of Rome, always onwards, like a mountain torrent, so that even Clement could no longer persuade himself that there was no danger to his capital.

Then there was hasty preparation. The young men were armed: the artillery made ready, but the wealthy showed no anxiety to open their purses to equip defenders. The command was given to Renzo da Ceri, who promised to do great things. He was so sure that he refused to destroy the bridges of the Tiber, though they would serve the enemy well if he got a footing in the city. Clement permitted himself to be affected by the confidence of his general, but already Rome was losing its head. Fugitives were beginning to register the approach of the enemy, and many fled while yet the roads were clear. Everyone hastened to conceal his belongings.

On May 5 the Spanish-German soldiers climbed over the Janiculum and looked down on the city, where for the last time the rays of the setting sun caressed, in lingering farewell, the spires and domes of Renaissance Rome. To them it was an El Dorado—wealthy beyond a miser's dream, and ripe for plunder. There was no idealism in that hungry mob, and no admiration for scenic beauty. That night there was little sleep.

In the active city the levies took their places on the battlements, and the guns were moved into position in readiness for the morning attack; but when the morning came it brought with it a thick fog, rising like a pall from the damp Campagna, and making the Papal artillery practically useless. One could hear, but could not see, the Imperialists preparing for the assault, which was launched, at an early hour, against the gates of the Leonine city. It was repulsed. Bourbon drew off, then hurled himself, at the head of his men, a second time at the walls. Time meant victory or destruction. Rome must be taken before the army of the league arrived. He placed a ladder against the fortifications and mounted; but just as he touched the top a cannon shot struck him, and there was barely time to carry him to a neighbouring chapel, and administer the Last Sacraments, when he died. Benvenuto Cellini claims the credit of having fired the shot that killed the Constable; but self-effacement was not Cellini's weakness. He also claims to have wounded Philibert of Orange, and writes in his *Memoirs*: 'I kept up the fire, for which several Cardinals and noblemen blessed me. . . . Of course, in my impetuous mood I was trying to do the impossible; enough that it was through me that the castle was saved that morning.'

The fall of their general maddened the attackers, and they pressed with fury; the defenders wavered, their ranks grew thin, they fell back; back along the battlements before the advancing Imperialists, while the gates creaked ominously on their hinges. The fate of Rome turned on heroic decision; but Renzo was not cast in

heroic mould. A sudden counter-attack might have changed everything ; but instead the Romans commenced to give way all along the line. Into the city poured the shouting Spaniards. In vain the Papal militia fought desperate hand-to-hand fights in the narrow Trastevere streets. The defeat was decisive, and there was a heavy fear about the person of the Pope. Renzo rushed to the Vatican, where Clement was tearfully praying, but unconscious of his danger. He had trusted his commander. Now he must escape. Quickly they rushed down, Clement and his Cardinals and a host of fugitives—in number some 3,000—down through the covered way that connects the Vatican with the Castle of St. Angelo, and safe under its protecting guns, they looked out on the doomed city. For eight days the streets would be drenched in blood. There would be unrestrained outrage and murder and rapine, and men would shake with fear at the memory of these days in the reign of Pope Sixtus V.

The sun rose on an indescribable sight in Rome on May 7, 1527. A dispatch written in a hand that plainly trembled, by the Mantuan envoy, states : ‘ Everywhere there is devastation and murder. The air is filled with hideous sounds, shrieks of women, cries of children, shouting of soldiers, crashing of falling buildings, and the crackling of burning wood.’

Everywhere were looters looking for loot ; everywhere their methods were diabolical. All valuables disappeared from the houses, the inhabitants were tortured to make them disclose the hiding places, and then held to ransom. No pen can describe the cruelties employed, as we have them from terror-stricken witnesses. The plundered houses were fired and the unhappy inmates—no longer of value—were driven at lance-point to perish in the ashes of their homes ; in the narrow streets the dead were piled, heaps of mangled corpses, beneath which lay the bodies of little children ; dashed from the windows to the pavement below. A favourite device was to tie the people tightly together, and leave them to die of slow starvation.

There was no title to safety. Sex, age, nationality, character—all were equally attacked. There was a generous impartiality which saw no distinction between Imperial sympathizers and their foes, and many who had prayed for Bourbon's victory lived to curse it. The Spaniards excelled in their inhuman ingenuity in unearthing treasure. The Lutherans looked after the convents and the churches. The convents, particularly those of Sta. Maria and Sta. Rufina in Trastevere, which were exposed to the first fierce attack, were the scenes of unspeakable barbarities. The nuns were taken and sold as slaves. Those who were killed were lucky. Was not Rome the city of anti-Christ, and were not the Landsknechts crusaders? There is a Cromwellian smugness in the complacency with which the Lutheran officers look on the writhing city, and praise God for the victory of His Gospel.

Some of these heroes dressed themselves in vestments, and paraded the streets; and one Bavarian Captain arrayed himself as the Pope, riding about on an ass, surrounded by his 'cardinals.' Occasionally he stopped, and offered his foot to be kissed, with a delicate Teutonic sense of humour. They came as near as safety permitted to the Castle of Saint Angelo, and proclaimed Luther Pope, in the hearing of Clement. But this was mere diversion in the intervals of their war on idolatry.

The Tabernacles were rifled, and the Blessed Sacrament insulted. An ass was robed in Episcopal dress, and brought into a church, where an attempt was made to force a priest to give it Holy Communion. On his refusal he was instantly cut to pieces. The churches were turned into stables, and the more venerable basilicas suffered most; the tombs of the Popes and Saints were violated; the relics treated with derision. A drunken Landsknecht tied the lance of St. Longinus to his pike, and marched through the city; the towel of Veronica was trailed in the dust before being offered for sale—and so on, in a catalogue painful to Catholic ears.

Bishops, priests and monks could hope for no mercy.

The aged Bishop of Potenza—80 years old—was put to death; the Bishop of Terracina was sold in the public market. Cardinal Cajetan was dragged through the streets; Cardinal Ponzetti died of similar treatment. And these were Imperial Cardinals. The Franciscan Cardinal, Numai, was taken from a sick bed, and carried about in a mock funeral procession, while the Portuguese ambassador, a near relation of the Emperor, had his palace plundered on his refusal to pay ransom. Even the Imperial representative, Perez, had to purchase his safety; and his colleague, Sauermann, died in the street from ill-usage and hunger. Cardinal Piccolomini—another Imperialist—was taken and kicked about, until he paid 5,000 ducats, for daring to defend his palace against the looters; and Cardinal Colonna, whose brothers were officers in the army of occupation, was not spared until he had given 35,000 ducats. It was estimated that everyone, over 3 years of age, in the city had either paid ransom or been killed.

A sad consideration for the historian was the destruction of priceless manuscripts and books; and only the happy accident that Philibert of Orange had made it his headquarters saved the Vatican Library.

For eight days the orgy continued. It was impossible to compute the number killed out of the population of about 55,000. Over 2,000 bodies were recovered from the Tiber, and over 10,000 from the streets. But in addition there were those who had perished in the burning houses, and those who had disappeared. The booty was immense. The Pope calculated the damage at 10,000,000 ducats, and over 4,000,000 had been paid in ransoms.

For eight days there was a reign of terror. Discipline had broken down; dogs gnawed the unburied dead; the food supply ran out, and pestilence came to add its terrors. The soldiers spent their time in the taverns, the gates were left unguarded, and though the army of the League approached the smoking city, it retreated without a blow, bringing with it the fiery scorn of Ariosto. As the days passed Philibert of Orange grew anxious. His troops

were out of hand, and he wished to legalize his position by treaty with the Pope. Clement wished to negotiate with Lannoy, who was the Emperor's Viceroy in Italy; but, as he was absent, a temporary truce was concluded. Rome was to remain in the hands of the Imperialists until an indemnity had been paid; the Pope remaining a prisoner in Sant' Angelo. Outside, the Lutherans continued their outrages, and on more than one occasion threatened to burn the entire city, while Clement vainly endeavoured to raise the indemnity. Finally he escaped to Orvieto.

What of Charles all this time? Did his Catholic soul approve of the agony of Clement and his city? We know that the soul of Spain revolted, and protested through the Archbishop of Toledo, the Duke of Alva and others; but Charles was in a difficulty. He was not quite sure that his mutinous legions would obey either himself or his generals, and yet every moment of occupation blackened his fame still more in the eyes of Europe. Francis I took advantage of his blunder, and Henry VIII waxed indignant at the treatment of the Pope.

Finally, the bloodhounds were withdrawn, and Clement was able to re-enter his capital. But it was not until October, 1528, that he returned to Rome. He wept at the sight. Renaissance Rome lay in smoking ruins at his feet. Men spoke of Alaric and Gaiseric and Ricimer, and wondered that they had lived to see such acts repeated. They remembered that Rome was still a Pagan city when Alaric sacked it; that he had destroyed its temples, and permitted the growth of St. Augustine's City of God, and there were some who whispered that, perhaps, Bourbon had done a similar service; perhaps he had razed a neo-Pagan city, and laid the foundations of the greater Rome, which was to be the spiritual capital of the glorious Catholic Counter-Reformation.

JOHN JOHNSON.

IRELAND AND HER POOR DEAR SYDNEY SMITH

BY PROFESSOR W. F. P. STOCKLEY

IRELAND'S Scottish (1835-40) Under-Secretary, Thomas Drummond, willed, that, as I have given my life to Ireland's service, so I wish that her earth shall be my grave. Less early lost, than that noble-looking youth, his less romantic nineteenth-century English contemporary, Sydney Smith (1771-1845) did not, for Ireland, say so much; though, of this our Whig Edinburgh Reviewer's reformer, his daughter, Lady Holland, did note: 'The two objects my father had always most at heart, were, the *Welfare of Ireland*, and *Catholic Emancipation*.'

This author of *Letters on the Subject of the Catholics; to my brother, Abraham, who lives in the Country*, by Peter Plymley, in 1807-8, treated, therein, of Ireland almost exclusively; for, in Ireland, penal laws had pressed, and were still pressing, on the minds, as well as on the bodies, if not on the souls, of the large majority of a people. That was a something unknown elsewhere.

A quarter only of the people in Ireland belonged to the Established Church—a century since; when, in 1820, this Edinburgh Reviewer thus wrote:—

This, then, is one of the most striking features in the state of Ireland. That the great mass of the population is completely subjugated and overawed by a handful of comparatively recent settlers, in whom all the power and patronage of the country is vested, who have been reluctantly compelled to desist from still greater abuses of authority, and who look with trembling apprehension to the increasing liberality of the Parliament and the country, towards these unfortunate persons whom they have always looked upon as their property and their prey.

And 'the grand misfortune is, that'—while some penal enactments are gone, though still many serious and oppressive ones remain—'the spirit which these oppressive

laws engendered remains. . . . The Catholic does not yet consider himself upon an equality with his former tyrant and taskmaster.' A century before 1920.

There had been penal laws for religion, and there had been persecutions, as an inheritance from the Reformation confusion, all over Europe. But Ireland alone had to exist in what Dr. Johnson protested was 'that unnatural state,' where 'a minority has power over a majority.' The outward and visible signs of un-nature, were obvious, in a country, where, at the time of Peter Plymley (1807) Catholics were sixty to one Protestant in the diocese of Tuam, more than fifty to one in Kilmaedugh, and in a specimen Queen's County parish a hundred to one, and in Peter's populous Kildare specimen, no Protestant; in this country where, so often, 'the Catholics see no religion but their own,' but where unique un-nature had given all the cathedrals, churches, glebes, to the Protestant minority. 'She is not well,' said, at the Duke of Leinster's, the Irish vicar (of one of Sydney Smith's stories), appearing at table, though he said he would be at church. 'Who is not well?' 'Why, the fact is, my lord Duke, that my congregation consists of the clerk, the sexton, and the sexton's wife, who is in very delicate health. When she cannot attend, we cannot have enough for the rubric'—giving three, as a minimum congregation—'and so we have no service.' 'I,' continues our English Protestant cleric, 'have always compared the absurd Protestant Church in Ireland with the butcher's shops in all villages of India. We *will* have a butcher's shop in every village; and you Hindoos shall pay for it—though you do not eat of the meat.' Nothing is absurd, in the piety of its good people. But Sydney Smith was a practical politician; and the Irish Establishment, that eggshell, with so little meat inwardly adhering, was an absurdly obstinate public unreality. The whole machinery was in motion for so little grain. Elsewhere, the old Catholic machine was working away; in Italy, and South Germany, in France, in Spain, along the Rhine as along the Danube. The churches there remained Catholic, with the

people. In Scandinavia, in England, in Scotland, the new Protestant machines were in full blast; and Westminster Abbey and York Minster had become Protestant, with the Protestantized people; as had Upsala Cathedral and St. Giles's, Edinburgh. Ireland was, and is, unique; with its old Catholic Tuam Cathedral housing some twenty Protestant worshippers (as a friend there told me lately); while the thousands of traditional Catholics of Tuam have had perforce, to build themselves a new House for the Mass. The old Cloyne cathedral has, at times, even fewer worshippers, I am told. The Catholic bishops of Cloyne and their people have built themselves Cobh Cathedral, which overflows with other thousands. Even when more went to Christ Church Cathedral, Dublin, than go there now, I do not suppose that the whole Sunday's congregations we used to see were as numerous as the congregations at one Mass at St. Audoen's, at St. Augustine's, at St. Francis', and, perhaps, at other new churches, a few minutes away—at these new Mass-houses, built by Catholics, put out, and kept out, of their old Mass-house, the Church of the Monastery of the Holy Trinity, commonly called Christ Church; where the Holy Mass it was built for has not been celebrated since the day of King James II. The temporary altar then used, and its poor fittings, are shown to-day to visitors in Christ Church crypt. I do not know that there exists a Christ Church Mass book; as, from St. Patrick's Massing days, is shown to visitors in Marsh's Library, near that other ex-Catholic Dublin cathedral.

Had Sydney Smith lived another half century, he would have applauded his modern Liberal Protestant *Daily News* for writing—*à propos* of Sir Horace Plunkett's strictures on the modern Irish Catholics, building out of their own poorer means :—

Is it not mean, for a member of a Church which first got by confiscation all the Catholic endowments, institutions, and churches, and then for centuries battered on exactions from the Catholic and often starving poor, to reproach the Catholics for having at last begun to provide themselves with churches, residences for their homeless clergy, and schools of a modern type?

But, though he was sometimes 'sure that the errors of the Catholic Church are grievously exaggerated and misrepresented,' yet the 'Catholic Faith is a misfortune to the world,' according to our Anglican dignitary, Canon Sydney Smith; and he surpassed Miltonic, not to say Lutheran, brutality, when he scoffed, in the train of the dulled departing wanderers, with much more of dull indecency, than in their 'How can this Man give us his flesh to eat?' And he also declared: 'I am as disgusted with the nonsense of the Roman Catholic religion as you can be'—this illogical cleric; bound daily to declare his belief in the Incarnation of the Deity. And he plays up to the pre-judging of his fellow-inheritors of this Protestant tradition; even when pleading for not persecuting, or outlawing, or injuring, Catholics as such: 'If I strip off the relic-covered jacket of a Catholic'—or (one might add), rob his pocket of the relic handkerchiefs that were means of healing, because they touched the body of St. Paul—'and give him twenty stripes, I persecute; if I say, everybody in the town where you live shall be a candidate for lucrative and honourable offices, but you who are a Catholic, I do not persecute! What barbarous nonsense is this! as if degradation was not as great an evil as bodily pain.' Deprivation of political power *is* persecution; 'there is no more distinction between these two things, than there is between him who makes the distinction and a booby.' Those were the Emancipating arguments that Wordsworth and Southey thought 'cackle'; as the latter of these anti-Emancipators called them.

Sydney Smith was a moral philosopher, once a most sought-after London lecturer as such; and he had university training, and was a man of books. However, logic or no logic, he was a Whig divine, a social reformer, smashing Game Laws, preaching Popular Education, trying to laugh, into emancipating of Catholics, the timorous, the suspicious, the indignant, the dull, and the dogged; but never dreaming that he himself was supposed to have faith in a religion of unfathomable mysteries; such as are expressed in his creeds.

Old Sydney Smith—he who had philosophized that, even in the country, ‘if, with a pleasant wife and three children and many friends who wish me well, I cannot be happy, I am a very silly, foolish fellow, and what becomes of me is of very little consequence’—writing to a friend on the Continent, from the England Tractarian Revival, declares this was all a mad Puseyite world. Over sixty, he is one to ‘love liberty; but I hope it can be so managed that I shall have soft beds, good dinners, fine linen, etc., for the rest of my life.’ ‘But I rather believe I shall be burnt alive by the Puseyites.’ He had known and understood what he would have welcomed as the common sense religion of sensible young Englishmen, un-mystical, un-conscious of mysteries; very Horatios, at best, to sore distracted Hamlets, puzzled, these latter, yearning for supernatural felicity, with thoughts beyond the reaches of their souls. And such sturdy Sydneyan religionists (who, a Newman judged, might wake up, some morn, and find themselves Mohammedans without surprise), form a certain breezy, no-nonsense type, bred still by Anglicanism. And, indeed, in his own pre-Puseyite boyhood, Sydney himself had experienced Winchester—that school of a Catholic bishop’s foundation for youthful worshippers of Mary—to be a place, for young Protestants, of ‘abuse, neglect and vice.’ His daughter says, her father ‘used to shudder at the recollections of Winchester.’ And once, at least, he burst out, as to a young Englishman going to his Oxford, that ‘the only consequences of a University education are the growth of vice and the waste of money.’ And Oxford was a Sydney Smith’s only preparatory life for orders.¹

¹ As said its Higher Church *Guardian*, only a couple of decades since, concerning what it calls ‘striking words written by Dr. Liddon, for the Church Congress of 1892: Between twenty and thirty years have passed since these words were written, and yet they are still true. To this day all that is required by our Bishops of graduates is the evidence of degree and the formal certificate of attendance at two courses of divinity lectures. To judge by their printed instructions to candidates for holy orders, anything more than this is in the eyes of the authorities of the Church a work of supererogation. I do not know of a single Bishop who even goes so far as to give a gentle hint in his instructions that a course at a theological college is desirable where it can be obtained.

Dr. Liddon’s alluded to words were these: ‘They pass—a continuous

All that, might work out pretty well, if not for the best, among presumably healthy-minded young Englishmen, would argue the Rev. Sydney Smith. There were those who could not think so, and who spoke far otherwise. And so, when our product of pre-Tractarian Oxford was just dead, the ex-Oxford Fellow, Faber, another of these new madmen, at Paris, the year (1846) after leaving Elton Rectory—this year, 1929, pulled down—was writing back, as to ‘the poor little chapel,’ at Elton, where he and some like ascetics among his Protestant people had prayed :

I do not think I shall ever love any place as I loved that chapel. However, I must not regret it. There was many and many an hour of bitter and earnest prayer in it as to whether I should become a Catholic, many a kissing of the feet of the crucifix, and imploring Jesus to let me stay in the English Church. . . . Though I may not regret the beautiful little chapel which God made me give up for Him, abandoned to bare walls, to silence, or to the rats, yet I may love it as the place where many of us got grace to follow Christ along the comfortless road He called us, and honoured us by calling us. In the blotting-book, on which I am writing there is a little bit of paper with these words scribbled on it : ‘O my dear Jesus, accept this intense misery for my sins, and bless my dear mourning people. Elton Rectory, November 16, 1845. Amen. Amen.’ I suppose I wrote it just after I ran home after afternoon church—

and his last Protestant sermon, wherein he told his people that the Church of England disavowed these Catholic truths that he had taught them.

I shall always keep it (the bit of paper) as a memorial of God’s goodness to me ; and also to shame me into a strict life, if ever I shall be tempted to live a comfortable one.

stream of life and energy—from the lectures, the boats, the unions, the college chapels, the haunts and associations which are often too degrading to bear mention—to the pulpits, the death-beds, the altars of the Church of Jesus Christ. They may have escaped in its most repulsive form “the corruption that is in the world through lust.” They may in better moments have made a real effort to rise “on eagle’s wings,” and in renewed strength to Him Who made the soul for Himself, and Who alone can unfold and satisfy its complex faculties and its mysterious instincts. But the atmosphere in which they move chills and repels the efforts of Divine grace ; the well-pointed sarcasm, the suppressed look of pity of some intellectual acquaintance of whose society they are proud, no less than the rude joke of the boon companion to whom they defer without respecting him, all this does its work in counteracting influences which might help men at our Universities on the road to heaven, and even prepare them in a measure to acquire the temper and experience of the guide of souls.’

The Pusey-Newman-Faber world was certainly as 'mad' as was the world of St. Paul to Festus. But if Gallio cared for none of these things, that, indeed, proves little about these things; though much about the Gallios. Sydney Smith, in a poor living, explained that he, therein, was 'buried in hope of a joyful resurrection' to a richer living, whereto he came; always happier, he avowed, for every extra pound.

And so, out of a post-Newman, post-Wordsworth, more sensitive age, Walter Bagehot was to write, on such preachers of common sense and too complacent religion, and their rationality so terribly at ease in Zion:—

With misdirected energy, these divines have laboured after a plain religion; they have forgotten, that a quiet and definite mind is confined to a placid and definite world; that religion has its essence in awe, its charm in infinity, its sanction in dread; that its dominion is an inexplicable dominion; that mystery is its power. . . . As well might the thunder be ashamed to roll, as religion hesitate to be too awful for mankind.

There are those who have hankered after simple rites. Seeking to conform themselves to the known world, they have gone astray out of the way of the world: they have missed both earth and heaven. And, as philosophers, not to say as artists, they have seen but a very little way, into the life of things as they are.

And yet, in his last letter, Peter Plymley does speak words showing him better fitted than before to talk about the religion of his Irish *protégés*:—

I am astonished to see you, and many good and well-meaning clergymen beside (*sic*) you, painting the Catholics in such detestable colours. Two-thirds at least of Europe are Catholics. They are Christians, though mistaken Christians. How can I possibly admit, that any sect of Christians, and, above all, that the oldest and the most numerous sect of Christians—[as he adds], for the first fourteen centuries all the Christian world were Catholics—are incapable of fulfilling the common duties and relations of life? Though I do differ from them in many particulars, God forbid I should give such a handle to infidelity, and subscribe to such blasphemy against our common religion.

Besides, Sydney Smith, in his provincial Protestant rationalizing tradition, really, be it said, perhaps, knew not what he said. Because Lord Houghton (Monckton Milnes) recorded

that he 'never, except once, knew the Rev. Sydney to make a jest on any religious subject, and then he immediately withdrew his words, and seemed ashamed that he had uttered them.' And there is this also that may be said of this divine's first Letter's round unthinking jests on the Eucharistic Gifts of God, that though he deserves to hear 'What profane wretch art thou that thus insults?' and though reverent Dr. Johnson might, to him, again have used his words: 'Sir, you talk the language of a savage,' yet the brother of Abraham Plymley might, perhaps, care a bit to excuse this, his savagery, by recalling the opening of that first fraternal Letter: 'Dear Abraham—A worthier and better man than yourself does not exist; but I have always told you, from the time of our boyhood, that you were a bit of a goose.' And then Peter Plymley might go on to repeat—I do not say he wholly would—something about answering fools according to their folly; addressing himself to 'the great mass of fools of whom the public is composed'—the Protestant British public whom Peter is browbeating. Still, no decent man, as the not more believing Mr. Birrell now reflects, ever saw the Mass without reverent mind. And there's an end, for Sydney Smith's irreverence.

Perhaps it was some such shamelessness which made Thackeray say, that 'Sydney was a poor creature, a very poor creature.' For, if the author of *Esmond* is himself just as unreasonable (with his implicit acceptance of Scripture saints' raising of dead men, and curing the living by the saints' shadows passing over them, while his *Esmond* commendably gives up such believings concerning St. Francis Xavier), yet Thackeray is sarcastic over the usual anti-Catholic author of his day, who, with a three-and-six-penny duodecimo 'demolishes the stately structure of eighteen centuries, and the mighty and beautiful Catholic Church, in whose bosom repose so many saints and sages.' He judges, that, 'for the most part, weak women' they are, 'who deal so lightly with the awful mysteries of religion.' To our Protestant Episcopal Peter, 'Popery is too absurd to be reasoned upon; every man feels it is nonsense when

he hears it stated, and so does every man while he is stating it'—including Augustine and Aquinas, Bernard and Bossuet, à Kempis and Teresa.

However, it is not for his illogical irreverence that anyone will read the Whiggish Peter. It is for his subtle scorn, his hammering reasonings; as when Letter ii. begins:

Dear Abraham—The Catholic not respect an oath! Why not? What upon earth has kept him out of Parliament, or excluded him from all the offices whence he is excluded, but his respect for oaths? . . . The oaths [against Catholicism] keep him out of Parliament; why, then, he respects them.

In this *Letter to the Electors on the Catholic Question*, the author remembers

hearing the Catholics accused, from the hustings, of disregarding oaths; and within an hour of that time I saw five Catholic voters rejected because they would not take the oath of Supremacy [of the Crown in things spiritual and temporal]. And these were not men of rank who tendered themselves, but ordinary tradesmen. The accusation was received with loud huzzas; the poor Catholics retired unobserved and in silence. No one praised the conscientious feeling of the constituents; no one rebuked the calumny of the candidate.

Blindly un-Catholic, Sydney Smith certainly was; and to him, not only the saints were mad, but, as between Methodists and Evangelicals, he would not, he said, discriminate in their insanity; and so, to repeat, for Puseyites, he had, he confessed, 'no conception what they mean'—thus speaking, for himself, no doubt, very truly. And, nevertheless, his was a good heart, and his was a stout understanding; and he hated injustice, and he thought that going on irritating and insulting Catholics, and politically degrading them, as compared with their fellow-British citizens, was a weakening of England, and a danger, in face of the Napoleonic world power of France. The absurdity of it all outraged his genial humanity. And his cheerful optimism about reform always felt, that the great thing to do was 'to infuse into the rising generation a proper contempt for their parents' stupid and unphilosophical prejudices.' Yet, 'I detest Jacobinism; and if I am doomed to be a slave at all, I would rather be the slave

of a king than a cobbler.' And, though 'I hate the insolence, persecution, and intolerance which so often pass under the name of religion, and, as you know, have fought against them; yet, 'I have an unaffected horror of irreligion and impiety; and every principle of suspicion and fear would be excited in me by a man who professed himself an infidel.' When he spoke cynicism with satire, he may have known he spake truth as a fool:—

If a rich young Catholic were in Parliament, he would belong to White's and to Brooke's; would keep race-horses; would walk up and down Pall Mall; be exonerated of his ready-money and his constitution; become as totally devoid of morality, honesty, knowledge, and civility, as Protestant loungers in Pall Mall; and return home with a supreme contempt for Father O'Leary and Father O'Callaghan.'

Spite of all, things are better; and all may be well, nay, will be well. The enlightened younger mid-nineteenth century generation will do justice, and seek peace. We all know, how there was to be the Great Exhibition, and the ringing in of the thousand years of peace, and the federation of the world-flowers of 1850 planted on the recent grave of Sydney Smith. And there withering away, because they had little root and less soil.

Yet, to say it again, Sydney Smith's generous hopefulness carried him along, and men with him. To Macaulay, his colleague was 'a great reasoner, and the greatest master of ridicule that has appeared among us since Swift.' And Ruskin—whose 'transcendent talent' Sydney Smith was almost the first powerful man to recognize—declared that 'Sydney Smith's *Moral Philosophy* is the only book on the subject which I care that my pupils should read'; while as un-Ruskin-like a thing as a later Liberal political leader, Lord Rosebery, has urged 'those who wanted mental refreshment, and to take large, broad, and generous views of life—to drink deeply of the draughts of eloquence, wit, and commonsense, furnished by the works of Sydney Smith.'

W. F. P. STOCKLEY.

[To be continued.]

NOTES AND QUERIES

THEOLOGY

COMMUNION OF NON-FASTING INVALIDS

REV. DEAR SIR,—Is it permissible to interpret Canon 858, § 2, when it speaks of those who are ill for a month, as using the word ‘month’ in a wide sense? That is, would it be sufficient if a patient were confined to bed for twenty-six or twenty-seven days in order that he might avail of the opportunity of bi-weekly Communion without keeping the fast? Apparently, there are some who act on this view, although the reason is not clear to me. If it is lawful to make twenty-six or twenty-seven days equal a month in this matter, it should be equally lawful in the case of the month’s residence required in lieu of domicile or quasi-domicile for lawful assistance at a marriage (Canon 1097, § 1°).

SAC. RUR.

The canon in question embodies the conditions under which the law of the Eucharistic feast is relaxed in favour of invalids—‘*infirmi tamen qui iam a mense decumbunt*,’ etc. Commenting on this Canon Cappello writes:—

‘*Mensis autem non debet accipi strieto omnino sensu, nimirum pro spatio 30 dierum; sufficit enim, ut pro certo tenemus, si decumbant a 26 vel 27 circiter diebus.*’¹

Similarly, Génicot: ‘*Ut hae facultate fruantur aegroti, requiritur: (a) ut a mense moraliter sumpto . . . decumbant.*’²

We do not believe that this interpretation is admissible. The words of the canon itself are quite clear, and the only legitimate interpretation of them is based on the general principles for the computation of time (Canons 31-35). ‘If the terminus *a quo* is not assigned, either explicitly or implicitly, e.g., *suspension from the celebration of Mass for a month or two years, three months’ vacation in the year, etc.*, the time is computed from moment to moment; and if the time is continuous, as in the first example given, months and years are to be taken as they are in the calendar’ (Canon 34, § 2).³

In the present case, therefore, a person who becomes ill, let us say, on April 25, at 8 o’clock a.m., is entitled to the benefit of this law immediately after 8 o’clock a.m. on May 25 following. We can see no justification for the view expressed by the authors quoted above—that

¹ *De Sacr.*, i. n. 506.

² *Theol. Mor.*, ii. n. 202.

³ Cf. Ojetti, *Commentarium in Cod. Jur. Can.*, lib. i., *in hunc can.*

the month's illness may be loosely reckoned, so as to cover only twenty-six or twenty-seven days. Neither is it possible to act on the assumption that the sick person *is likely* to be confined to bed for a month. As Vermeersch says: 'Canon iste, cum gravi legi deroget, stricte est interpretandum. . . . Requiritur itaque . . . ut iam a mense decumbant seu infirmitate laborent. Mensis, ex Codice, est spatium 30 dierum . . . Nullo pacto autem admitti potest ut facultas ad eos extendatur qui morbo afficiuntur qui praevidetur futurus saltem triginta dierum.'¹ But for the space of thirty days, which he speaks of, we should substitute a month according to the calendar, in accordance with the rule quoted, seeing that there is question of a continuous period of time, and the *terminus a quo* is not specified.

We do not know of any author who is prepared to whittle down the month's residence required for lawful assistance at marriage to twenty-six or twenty-seven days. The month's residence in this case must be continued up to the actual moment of the marriage, but absence for a day or two *during the course of the month* is not regarded as affecting continuity of residence.²

VALIDATION OF A MIXED MARRIAGE WITHOUT THE PRESCRIBED GUARANTEES

REV. DEAR SIR,—I would like an answer to the following:—

A Catholic man married a non-Catholic before a Protestant minister. There are three children of the marriage. The woman consents to have the union validated before a priest, and to allow any future children to be baptized and brought up Catholics; but will by no means consent to have the former three baptized as Catholics. Is the priest permitted to assist at the marriage?

ANXIOUS.

As the position is at present there is question, not as to whether a priest may assist at the (validation of the) marriage, but as to whether he is likely to obtain the necessary dispensation from mixed religion. The usual guarantees must be obtained from the parties—from the non-Catholic, that he or she will not constitute a danger to the other's faith, and from both, that *all* the children of the marriage shall be baptized and brought up as Catholics. Moreover, it must be morally certain that these guarantees will be carried out (Canon 1061). Obviously, it is not enough to confine the second guarantee to the children that may be born in the future—those already born are equally children of the marriage, in case it is validly celebrated, by legitimation (Canon 1116).

Possibly, this is the point which 'Anxious' had chiefly in mind when submitting his query. Or, perhaps, he wishes to know if there are any

¹ *Theol. Mor.*, iii., n. 396; cf. Aertnys-Damen, *Theol. Mor.*, ii., n. 160.

² Cf. Cappello, *De Sacr.*, iii., 685; Chelodi, *Jus. Matr.*, n. 134; Farrugia, *De Matr.*, n. 230; Wernz-Vidal, *De Matr.*, n. 541.

circumstances in which a mixed marriage will be permitted without the prescribed guarantees. It must be borne in mind that mixed marriages are forbidden by the divine law, in so far as they involve danger of perversion to the Catholic party or the children (Canon 1060). The divine law does not admit of dispensation, and, therefore, while this danger remains, or at least until it is rendered remote, there can be no question of permitting a mixed marriage. To put it in another way, a mixed marriage may be permitted only *on condition* that the prohibition of the divine law has ceased. Even then the prohibition of ecclesiastical law still remains. The Church will dispense only when (1) there are just and grave causes; (2) specified guarantees are given; (3) it is morally certain that the guarantees will be carried out.

It is important to note the distinction between the *conditions* required by the divine law and the *guarantees* which the ecclesiastical law demands. The latter are simply an assurance of compliance with the former. Therefore, in any particular case, the conditions of the divine law may be verified in the absence of any positive guarantees—it may be sufficiently certain that there is no danger of perversion. The Church, however, still insists on the guarantees being given; they are required even in the circumstances of special urgency in which the Ordinary, or parish priest, or confessor, may dispense from the impediment (Canons 1043, 1044). The reason is that they are the ordinary means of assurance that the parties will comply with the divine law.

Everyone with experience in this matter is aware that there are extraordinary cases, such as that proposed by our correspondent. The non-Catholic party will only give inadequate guarantees, or none at all. In such cases, provided it is certain that the divine law ceases to urge, that *de facto* there is no danger of perversion, the Church can, and may possibly, withdraw the obligation to give the guarantees. But only in very extreme cases, to avoid greater evil. A reply of the Congregation of the Holy Office in 1916 contemplated such cases. When the non-Catholic party is willing to go through the Catholic form of marriage, but refuses to give the requisite guarantees, and when the parties have been already married invalidly through non-observance of the prescribed form, such a marriage may be validated by a *sanatio in radice*.¹

What then of the present case? On the evidence supplied by 'Anxious,' it seems clear to us that the prohibition of the divine law has not ceased. As things are, three children of the family are to be brought up as non-Catholics. Or, at least, that is what we gather. It may be that, notwithstanding the mother's refusal to have these children baptized, and brought up in the Catholic faith, this may still be secured by the father, in the exercise of his legal rights. Or again, in the event of danger of death to the mother, who still persisted in refusing the guarantees, the validation of the marriage might be secured on the ground that the danger of perversion has now ceased. We need not say that the judgment in such matters rests with the ecclesiastical Superior who is approached with a view to a dispensation being obtained.

¹ *Acta Ap. Sedis*, vol. ix. p. 13.

DECISIONS OF THE COMMISSION FOR THE INTERPRETATION OF THE CODE

Among the latest decisions of the Code Commission there are two dealing with Matrimony, on which a few remarks are subjoined. The documents will appear in the next issue.

1. *The Impediment of Public Propriety.*—‘The impediment of public propriety arises from invalid marriage, whether consummated or not, and from public or notorious concubinage’ (Canon 1078). Does it, therefore, arise from a mere civil marriage? We can find at the moment only two authors who hold that it does, Noldin¹ and Sebastianelli.² The present reply makes this opinion inadmissible. To the question: ‘Is the force of Canon 1078 such that the mere civil marriage of those mentioned in Canon 1099, § 1, apart from cohabitation, gives rise to the impediment of public propriety?’ the Commission gives a negative reply. The answer is not unexpected; it is in full conformity with the past and with the usage of the Code, as well as representing the teaching of all the authors we know—the two above-mentioned excepted.

The question which is really answered is: What is the attitude of the Church towards the mere civil marriage of those who are bound by the Catholic form—those mentioned in Canon 1099, § 1? The reply states equivalently that such a merely civil act has no claim to be described as a marriage, even as an invalid marriage. In the eyes of the Church, it has not even ‘the appearance of a marriage,’ (*species seu figura matrimonii*). Therefore, as it is unworthy of the title of an invalid marriage, it cannot of itself give rise to the impediment of public propriety. The Commission is, of course, considering the so-called civil marriage apart from the usual consequence of cohabitation.

As we have said, the reply contains nothing new. It merely rules out altogether an opinion which in the ordinary course of events would probably very soon have died a natural death. Before the Code the impediment of public propriety arose from *sponsalia* and from ratified marriage, whether valid or invalid. It was decided by the Congregation for the interpretation of the decrees of the Council of Trent, and confirmed by Leo XIII, that the impediment did not arise from ‘the aforementioned act, commonly called a civil marriage.’³ This is the decision which Sebastianelli considers has lost its force. On the contrary, apart altogether from the reply with which we are now concerned, it is fully confirmed by every Canon of the Code which makes special mention of merely civil marriage. For example, among the various

¹ ‘Hoc impedimentum ex matrimonio utcumque invalido oritur . . . ergo etiam ex matrimonio civili, cum hoc matrimonium inter Catholicos ob clandestinitatem invalidum sit.’—*De Sacr.*, n. 579.

² ‘Proinde exurgit etiam ex matrimonio civili, et cessat vim habere declar. S.C.C. 13 Mart., 1879, a Leone XIII, d. 17 e. m. adprobata.’ *Summ. Theol. Mor.*, n. 557.

³ The reply of the Congregation is dated March 13, and the confirmation of the Pope, March 17, 1879. Cf. Gasparri, *De Matrimonio*, i. n. 822.

instances in which an ecclesiastical office becomes *ipso facto* vacant, through tacit resignation, is that of a cleric who contracts marriage, *etiam civile tantum, ut aiunt* (Canon 188). Among religious who are to be regarded as *ipso facto* legitimately dismissed are: *attentantes aut contrahentes matrimonium aut etiam vinculum, ut aiunt, civile* (Canon 646, § 1). They are irregular *ex delicto qui matrimonium attentare aut civilem tantum actum ponere ausi sunt* (Canon 985). The impediment of crime arises from adultery, combined with the promise of marriage or with attempted marriage, *etiam per civilem tantum actum* (Canon 1075). From these and other canons¹ it is perfectly clear that the Code does not consider so-called civil marriages as included under invalid marriages—otherwise there would be no reason for making special mention of them.

It will not be necessary for most of the recent authors to modify what they have written on the matter. It is interesting to note that Chelodi had already abandoned his original position. In his first and second editions he held that 'undoubtedly, the impediment still arises from civil marriage, whether it be called concubinage or an invalid union.'² In the third edition, however, he adopts the view which is now authentically confirmed.³

It is scarcely necessary to remark that the reply will not affect very many actual cases. Where the mere civil form of marriage has been gone through, as a general rule the parties will have lived together as man and wife, and the impediment will thus arise from public concubinage.

2. *The right of 'Accusal' of a Marriage.*—By 'accusal' of a marriage—we cannot find a more convenient term—is meant the action by which one of the parties requires the competent ecclesiastical tribunal to pronounce judgment usually on the question of validity.⁴ According to Canon 1971, § 1, n. 1, only the parties themselves may institute these proceedings in all cases concerning separation or nullity, unless they have been the cause of the impediment. The present reply is concerned with the meaning of 'impediment' in this context. The Code has distinguished between matrimonial impediments in the proper sense of the term (Canons 1067 to 1080) and other obstacles to validity arising from a defect of consent or of form (Canons 1081 to 1103). That distinction, the Commission declares, is not to be applied to the canon under discussion and, therefore, the word 'impediment' in this case extends to defects of consent and form as well as to those directly affecting the person.

P. O'NEILL.

¹ Cf. Canons 2356, 2388, § 1.

² *Jus. Matrimoniale* (1919), n. 104.

³ *Op. cit.* (1921).

⁴ Cf. Wernz-Vidal, *Jus. Matrimoniale*, n. 698.

CANON LAW

DOUBT REGARDING THE PERSONAL PRIVILEGED ALTAR GRANTED TO PRIESTS BY THE CONSTITUTION 'AUSPICANTIBUS NOBIS'

In the March and April issues of the I. E. RECORD we gave it as our opinion that the conditions which normally governed a personal privileged altar applied also to the personal privileged altar granted to priests by the Constitution *Auspicientibus Nobis*, and hence, that the plenary indulgence should be applied for the soul for whom the Mass is offered. The basis of that view is a reply given in 1885. The Congregation of Indulgences was asked: 'Utrum indulgentia plenaria altaris privilegiati personalis: 1° debeat a sacerdote, qui actum heroicum caritatis emisit, applicari animae, pro qua Missam celebrat? aut 2° possit applicari pro libito cuivis defuncto?' The reply was: 'Ad primam partem *affirmative*; hoc enim modo privilegium altaris conceditur a Summo Pontifice: ad secundam, provisum in responsione ad primam partem.' The answer to the first query not only gave the solution of the particular case under consideration, but also stated generally that the Pope grants a personal privileged altar on the condition that the plenary indulgence be applied for the soul for whom the Mass is offered. In the absence of any decisive indication to the contrary, the conclusion, it seems to us, was legitimate enough that the personal privileged altar granted by the Constitution *Auspicientibus Nobis* was restricted in the same way. A correspondent, however, to whom we referred, considered it probable that the plenary indulgence could be applied to any soul whatever in Purgatory, independently of the object for which the Mass was offered; and the commentator in *Il Monitore Ecclesiastico* thought the matter was so doubtful that it could be settled only by an authentic decision of the Holy See.¹

In these circumstances a reply of the Sacred Penitentiary on this matter will be welcomed by readers of the I. E. RECORD, more especially as it adopts the wider interpretation, and allows the indulgence to be applied to any soul in Purgatory, no matter what the object for which the Mass may be offered. Whatever then that may have been the implications of the privilege as contained in the *Auspicientibus Nobis* itself, its extension is now governed entirely by the terms of this reply, which has received the approbation of the Holy Father himself. In view of the great practical importance of the privilege, we shall give a translation of the query submitted to the Sacred Penitentiary and its reply:

'Whether the *personal privilege*, granted to priests this year of Jubilee, in the Apostolic Constitution *Auspicientibus Nobis*, is the usual personal

¹The editor of *Il Monitore Ecclesiastico*, page 66, states that Capello, in *Palestra del Clero* and Creussen, in *Nouvelle Revue Théologique* also considered the privilege to be the ordinary personal privileged altar.

privileged altar, in virtue of which priests, celebrating for a deceased person, can gain a plenary indulgence, and apply it to the soul for whom they celebrate Mass; or is it rather to be so understood that priests, offering the Holy Sacrifice, in any Sacrifice of the Mass whatever, can gain a plenary indulgence and apply it, independently of the application of the Mass, to one soul detained in Purgatory and designated at will by themselves.

The Sacred Apostolic Penitentiary, after mature consideration, resolved on the following reply: '*In the negative* to the first part; *in the affirmative* to the second part.'¹

DEDUCTIONS FROM THE STIPEND OF A FOUNDATION MASS

REV. DEAR SIR,—Would you kindly allow me to ask for a reply to the following questions from your learned authority on Canon and Moral Law.

1°. If a person pay £12 to a Bishop or Diocesan Authority for the sole purpose of founding an annual Mass in a certain church, is not the priest who says the Mass in that church entitled to the full income (as stipend) from the £12? May the Bishop pay 5s. and keep the rest (say, 7s.) for some other purpose?

2°. Is there not a fairly recent decree or decision dealing with this very matter, and forbidding any deduction whatever?

3°. In the event of the reply being that such deductions are unlawful, what may a simple priest do to stop deductions being made, to his detriment?—especially when normal formal representations on the subject are ignored or brushed aside?

READER.

1°. There is no doubt whatever that the priest is entitled to the full income from the £12. If the donor's sole purpose was the foundation of an annual Mass in a certain church, it was evidently his intention that the entire stipend should go to the celebrant of the Mass, and the donor's intention in this matter is decisive. Canon 1514 may be appealed to not inappropriately in this connexion: '*Voluntates fidelium facultates suas in pias causas donantium vel relinquentium, sive per actum inter vivos, sive per actum mortis causa, diligentissime impleantur etiam circa modum administrationis et erogationis bonorum, salvo praescripto Can. 1515, § 2.*' Moreover, it is a fundamental principle in the legislation regarding Mass stipends that the celebrant is entitled to the entire stipend unless the donor has manifested, either explicitly or implicitly, a contrary intention. The clearest illustration of the principle is to be found in Canon 840, which deals with the transference of Mass stipends:

§ 1. '*Qui Missarum stipes manuales ad alios transmittit, debet acceptas integre transmittere, nisi aut oblatores expresse permittat aliquid retinere, aut certo constet excessum supra taxam dioecesanam datum fuisse intuita personae.*'

¹ *A.A. Sedis*, April, 1929, p. 168.

§ 2. 'In Missis ad instar manualium, nisi obstet meus fundatoris, legitime retinetur excessus et satis est remittere solam eleemosynam manuaalem dioecesis in qua Missa celebratur, si pinguis eleemosyna locum pro parte teneat dotis beneficii aut causae piae.'

Possibly, the Bishop may have special faculties from the Holy See to make deductions from Masses of this kind, and to apply the excess over the diocesan stipend for manual Masses to some pious object; apart, however, from such faculties, his action cannot be justified.

2°. There is no recent decree or decision, as far as we are aware, which deals with this matter; it is really not a point that is likely to be called in question or to be formally dealt with by the Holy See. In connexion with other matters dealt with by Rome it has been taken for granted as a general principle that stipends—even foundation stipends—are not to be separated from the celebration of Masses, or, in other words, that the celebration of Masses is the sole title for the stipend. Thus, in cases regarding foundation Masses attached to a chaplaincy, the following sentence occurs: 'Si agitur de tertio casu, in quo determinatum stipendium est assignatum pro singulis Missis, quique provenit ex reductione plurium Missarum; *cum stipendia non sint separanda a celebratione Missarum*, illud stipendium est in favorem Seminarii devolvendum, si sacerdos binans, aliam Missam jam celebravit cum stipendio.'¹

3°. When representations to the Bishop himself fail to produce any effect, the only canonical remedy available is a *recursus* to the Holy See—the competent body is the Congregation of the Council.

ATTENDANCE AT AMATEUR THEATRICALS IN PUBLIC HALLS

REV. DEAR SIR,—Would you kindly answer in the I. E. RECORD the following query: Are priests forbidden to be present at an opera or a play performed in a public hall by amateurs?

A difference of opinion and practice exists among the clergy in these respects, and a decision in the I. E. RECORD, would be much appreciated.

ANXIOUS.

A former editor of this section of the I. E. RECORD dealt with this matter; we shall quote his views:—

'This extension of the meaning of "theatre" is, to our mind, clearly required by the context. Should it be understood even in a wider sense, so as to embrace all public dramatic performances, though neither by a professional company nor in a registered theatre? We do not think so. They are not "theatre plays" in the ordinary accepted meaning of the term. Of course, absolutely speaking, they might be described as such. But we must remember that, in dealing with laws that impose restrictions on personal liberty, the principle to be followed

¹ A.A. *Sedis*, 1920, p. 540.

is the one embodied in the maxim *odia sunt restringenda*. In canonical language, liberty is in possession, and if the law is to take its place there must be no reasonable doubt about its claim. It is presumed that a Superior does not wish to urge his law except in so far as he has made his mind clear; or, in other words, that there is no obligation when, in view of all the circumstances, there are reasonable grounds for denying that a particular class of case is covered by the words he uses. When all due allowances have been made for the intention of the legislator, as implied in the context, no restriction is to be imposed beyond such as the words, understood in their strict sense, necessitate. In harmony with that principle, we do not believe that the cases mentioned by our correspondent fall under the law. They may occasionally approach very near the border line. But so long as the company is not a professional one, and the place merely a school or temperance hall, we do not think, even though a charge is made at the doors, that the entertainments can fairly be described as “*theatrorum quorumcumque publicorum spectacula*,” or that, as far as this particular statute is concerned, priests are, strictly speaking, bound not to attend.’¹

As far as our knowledge goes, priests have practically interpreted the statute in accordance with this explanation. In view of this fact, of the reasons advanced, and of the writer’s well-known authority, we suppose priests are within their rights in following this opinion. Personally, we favour the stricter view; we think it more in harmony with the words of the law. We shall have occasion to return to this matter, when the new statutes are promulgated a few months hence, so that it is unnecessary to discuss it further at present.

MAY A PRIEST BRING COMMUNION TO THE SICK WITHOUT THE PARISH PRIEST’S PERMISSION?

REV. DEAR SIR,—May a priest of a religious Order bring Holy Communion to sick people without even the presumed permission of the pastor of the place, according to Canon 849?

INQUIRER.

Canon 849, § 1, states that: ‘Any priest can bring Communion privately to the sick, with at least the presumed permission of the priest to whom the care of the most Holy Sacrament is committed.’ Accordingly, should a priest of a religious Order bring Communion privately to the sick from a parochial church, he should have at least the presumed permission of the pastor of the place; if, however, the Communion is taken from a church or oratory of his own Order, not even the presumed permission of the pastor is necessary.

On the other hand, in accordance with Canon 848,² to bring Communion

¹ I. E. RECORD, Fourth Series, vol. xxvii., pp. 298-299.

² § 1: ‘Jus et officium sacram communionem publice ad infirmos etiam non parocianos extra ecclesiam deferendi, pertinet ad parochum intra suum territorium.’

§ 2 ‘Ceteri sacerdotes id possunt in casu tantum necessitatis aut de licentia saltem praesumpta ejusdem parochi vel Ordinarii.’

publicly to the sick, a priest belonging to a religious Order, except in a case of necessity, requires at least the presumed permission of the parish priest. Similarly also, in virtue of Canon 850,¹ when there is question of Viaticum, the permission of the parish priest is necessary, whether it is brought publicly or privately.

THE DIVISION OF PAROCHIAL REVENUE BETWEEN PARISH PRIESTS AND CURATES

REV. DEAR SIR,—You would greatly oblige me if you would kindly give me answers to the following queries :—

I. What is the law with regard to the division of stole fees between parish priest and curate, when, perhaps, the parish priest takes most of the marriages, baptisms, etc. ; the custom in some places being for the parish priest and curate to keep what each receives. Is there any law about dividing these honoraria equally ?

II. With regard to Christmas offerings, is the parish priest allowed to keep two-thirds of the offerings, giving one-third to the curate ?

III. With regard to Masses, when intentions are offered to parish priest and curate indiscriminately (the parish priest probably receiving more) is the parish priest obliged to give surplus intentions to the curate or may he give to any priest he chooses, some of the intentions coming from outside the parish ?

SACERDOS.

I. The only disposition of the Code which has a bearing on this matter is contained in Canon 476, § 6, which states that the rights and obligations of a curate are to be determined from the diocesan statutes, the Ordinary's letter appointing him, and the commission of the parish priest.² The purport of the following statute of the Maynooth Synod, as far as the question under consideration is considered, is somewhat similar.

*'Jubemus ut Parochus et Vicarii librum communem bene compactum et apud Parochum retinendum habeant, in quo singuli accurate inserbant pecunias a se perceptas, notatis mense, die, et occasione in quibus percipiebantur, utque, singulis mensibus, tempore fixo et ab Episcopo in scriptis constituto, partitione facta juxta Statuta Dioecesana, rationes in memorato libro accuratissime componant, easque sua quisque subscriptione muniant. Liber iste, Episcopo quotiescumque ei visum fuerit exhibendus, fideliter custodiatur.'*³

According to this statute, therefore, the division of stole fees, etc., is a matter to be regulated by the diocesan statutes. The same thing is stated in a statute of the Provincial Synod of Armagh.

¹ *'Sacram communionem per modum Viatici sive publice sive privatim ad infirmos deferre, pertinet ad parochum ad normam can. 848, salvo præscepto can. 397 et can. 514.'*

² *'Ejus jura et obligationes ex statutis dioecesanis, ex litteris Ordinarii et ex ipsius parochi commissione desumantur.'*

³ N. 339.

‘Cum circumstantiae Diocesium nostrarum sint diversae, ut vicarii parochorum ex redivibus ecclesiasticis juxta decentiam status sui vivere possint, statuimus et ordinamus ut in Synodo Dioecessana definiatur, qualis proportio reddituum sit vicariis parochorum cedenda quando in parocchia unus, duo vel plures sint vicarii. Proventus ex capellaneis cujuscumque generis in aerarium commune reponatur.’¹

Accordingly, our correspondent must examine the diocesan statutes of his diocese for the regulations governing the division of stole fees between parish priests and curates. On account of the different circumstances of different dioceses there is often a good deal of diversity in regard to the proportion which goes to each. Usually, when curates live with their parish priests, they receive a much smaller share than when both live separately; we do not know of any diocese in which a curate receives as large a share as his parish priest.

II. Practically everything which we have said in connexion with the first question applies also to the second; the proportion to be observed in the division is a matter for diocesan law and custom. In many dioceses, in which parish priests and curates live separately, we know that the proportion is that mentioned by our correspondent.

III. We do not know what precisely ‘Sacerdos’ means by *indiscriminately*. Normally, a parish priest is not bound to transfer Masses which he himself cannot discharge to his curate. Should, however, the donors, either expressly or implicitly, require that they be transferred to the curate, the parish priest must, of course, observe this condition.

J. KINANE.

¹ N. 24.

LITURGY

**BANNERS IN PROCESSIONS OF THE BLESSED SACRAMENT.
BELL AT MASS OF REPOSITION. CANDLES OF ACOLYTES
AT SOLEMN REQUIEM MASS**

REV. DEAR SIR,—I would be glad of an answer to the following queries in the pages of the I. E. RECORD :—

I. What banners may be used in processions of the Blessed Sacrament? May those which represent the Blessed Sacrament, Sacred Heart, Our Blessed Lady and the Saints, be borne?

II. Should the little bell be rung during the Mass of Reposition which concludes the Forty Hours' Prayer?

III. From liturgical books it would seem that the acolytes at a Solemn Requiem Mass proceed from the sacristy with candles lighted as at an Ordinary High Mass. May the contrary practice of placing the lighted candles on the credence table before the Mass be followed?

IV. Is the correct accentuation of *Sancte Gregori, Grégori* or *Gregóri*? The former is found in the Roman Breviary, the latter in liturgical books for the Forty Hours.

ANCEPS.

I. According to the Roman Ritual¹ and the *Caeremoniale Episcoporum*² the church and the way along which the Procession of the Blessed Sacrament is to pass should be adorned with carpets, tapestries and images. Members of the procession, in the strictly liturgical sense, carry lighted candles, and the confraternities, who precede the processional cross, march each under its own banner—*unaquaeque religio, et confraternitas cum suis insignibus*.

Certain things are explicitly forbidden by the S. Cong. Rituum. It is not lawful to carry Instruments of the Passion, viz., Relics of the True Cross and of the Crown of Thorns, in solemn processions of the Blessed Sacrament,³ nor the Image of the Sacred Face of Our Lord,⁴ nor symbolical representations of the Blessed Sacrament, such as the Ark of the Covenant, Table with the Loaves of Proposition, Candelabrum with Seven Candles,⁵ nor Images or Relics of the B.V.M. or of the Saints.⁶

We take it that an 'Image,' being a visual representation of an object, includes not only statues and framed pictures, but also pictures on banners, whether they are embroidered on the fabric or merely attached to it. It would follow, therefore, that while the banners with the images mentioned by our correspondent may be used in the decoration of the church and of the route along which the Blessed Sacrament is borne, yet they may not be carried in the procession itself.

¹ *Rit. Rom.*, tit. ix., cap. v. § 1.

² *Caerem. Epis.*, lib. ii., cap. xxxiii., § 2.

³ 1731 ad 1.

⁴ 3636 ad 3.

⁵ 1348, 1361, 2879.

⁶ 3878, 3997.

II. The bell should not, we think, be rung at the *Sanctus* and Elevation, in the Mass of Reposition during the Forty Hours. Cavalerius maintains that it should be rung at the Elevation in Solemn Masses and Sung Masses celebrated at the altar of Exposition, though not at the *Sanctus*; but the commentary on the Clementine Instruction¹ holds that it should not be rung at all. Two decrees of the S.C.R. in the years 1867² and 1878³ referring to Mass celebrated in presence of the Blessed Sacrament Exposed remove all reasonable doubt on the point. The second decree, it is true, refers explicitly to a Low Mass celebrated at an altar at which the Blessed Sacrament is exposed. By implication, however, it includes also Mass *cum cantu*, for it refers to the former decree, in which the question proposed was general: '*An observari possit usus . . . campanulam pulsandi intra Missam, durante Sanctissimi Sacramenti expositione?*' And the answer was, *Negative*. Menghini, in a footnote to Martinucci,⁴ expresses a mild doubt as to the obligation to omit ringing the bell *ratione expositionis*, and De Amicis says that custom should be followed.⁵ Haegy-Vavasseur,⁶ however, says very definitely: '*On ne sonne point la clochette a l'autel.*'

It is, of course, permitted to ring the bell, placed at the door of the sacristy, when the priest is coming to the altar, as a signal to the people that Mass is about to begin.

III. There is a practice in some places of placing the lighted candles on the credence-table before Mass when a priest is the celebrant. But there is no authority for such a practice. All writers on ceremonies say that the acolytes in a Solemn Requiem Mass should carry their candles lighting to the credence-table as in an ordinary Solemn Mass. And the rubrical authorities are right. In the *Ritus celebrandi*⁷ the following direction appears: '*Acolythi deferunt candelabra cum candelis accensis, quae deinde collocantur super Credentia.*' This direction obtains, without distinction, both for an ordinary Solemn Mass and a Solemn Requiem Mass.⁸

In a Pontifical Mass for the Dead, however, the circumstances are different. Here the acolytes do not precede the sacred ministers to the altar, as in a Solemn Requiem Mass sung by a priest, but with hands joined they follow the deacon and sub-deacon to the altar to assist at the vesting of the bishop. In this case the candles of the acolytes should be placed on the credence-table before the ceremony begins. This is clear from the *Caeremoniale Episcoporum*⁹ which among the preparations requires: '*duo candelabra super credentia cum candelis ex cera communi.*'

¹ *Comm. ad Instruct. Clementis*, § xvi.

² 3157 ad 0.

³ 3448 ad 2.

⁴ *Caerem. Epis.*, lib. ii., cap. ii., art. iv., p. 136.

⁵ *Caerem. Parochorum*, pars. i., sect. i., cap. i., § 24.

⁶ *Cérémonial*, vol. i., pt. v., sect. ii., ch. ii.

⁷ *Rit. celeb.* ii. § 5.

⁸ *Ibid.*, xiii. § 1.

⁹ *Caerem. Epis.*, lib. ii. cap. xi. § 1.

We take it, however, that our correspondent contemplates, not a Pontifical Requiem Mass, but a Requiem Mass sung by a priest.

IV. We fail to see a close connexion between the Liturgy and the pronunciation of Latin names; but we shall, with pleasure, place before our esteemed correspondent the information at our disposal, and our own view. The pronunciation of the word, in our opinion, is Gregóri, with the accent on the ó.

The general rule is that words of more than two syllables have the accent on the penultimate syllable if it is long, such as Metéllus; on the antepenultimate, if the penultimate syllable is short, such as Sérgius, Gregórius. In the vocative case the accent in a number of words is on the penultimate syllable such as Cornéli, Vergíli, because a final syllable has disappeared, Corneli(e), Vergili(e). Gregóri for Gregóri(e) is an example of this class of words and, therefore, the accent remains in the vocative case on the ó—Gregóri.

CORPUS CHRISTI PROCESSION. 'REGINA COELI'

REV. DEAR SIR,—There is only one priest available for the Corpus Christi Procession in our parochial church—which is a small country one.

I. In these circumstances how is the procession to be arranged?

II. Is it permissible to carry Relics in this procession, and may children walk before the Blessed Sacrament strewing flowers?

III. There is another matter also on which I should be grateful for an opinion: If a person does not know the *Regina coeli*, should he recite the *Angelus* instead of it during Paschal Time?

'P.P.'

I. In front of the Processional Cross march the members of the confraternity, carrying lighted candles, with their banner at their head. Following the Cross may come the two chanters¹ provided they wear soutane and surplice; if they are not in soutane and surplice they must precede the Processional Cross, or follow the celebrant. The thurifer walks immediately in front of the priest, who carries the Blessed Sacrament under the canopy. At each side of the canopy walk the torch or lantern-bearers. Behind the priest march the general faithful. An alternative arrangement is for the priest, preceded by the Processional Cross and thurifer, to walk at the head, and all the laity to follow. Under no circumstances, however, is it permissible for the laity to march between the Processional Cross and the priest.

II. Relics may not be carried in the Corpus Christi Procession. (See answer above to 'Anceps.')

Where the custom exists the Ordinary may tolerate the custom of

¹ *Mem. Rituum*, tit. iv. § ii. 8.

children strewing flowers along the way of the procession. They may not walk immediately in front of the priest, or beside the thurifers, but must precede the Processional Cross.¹ It would be better not to have small children in the procession at all, on account of the inconvenience of managing them; but we can appreciate parochial difficulties in eliminating them!

III. He should recite the *Angelus* during Paschal Time if he does not know the *Regina coeli*, and he gains the indulgence by doing so.²

CARRYING BLESSED SACRAMENT IN LUNETTE FOR BENEDICTION

REV. DEAR SIR,—Do the rubrics allow a priest to carry the lunette with Consecrated Host from one church to another on a Sunday in order to give the people an opportunity of assisting at Benediction?

‘ANXIUS.’

The carrying of the Blessed Sacrament outside the church is not permitted, except on the occasion of the solemn procession on the Feast of Corpus Christi and during its Octave, for the Communion of the sick, and on the occasion of the procession of the Forty Hours, when the church is small; and on these occasions it is supposed that a Cross-bearer is at the head of the procession.³ This is the general rule; but cases of necessity outside these occasions may, of course, arise when the Blessed Sacrament must be removed from one church to another. Provision, too, is made in the rubrics for carrying the Blessed Sacrament secretly without any external solemnity. Moreover, according to a decision⁴ given in 1883, the Host may be carried in the lunette. But has the priest a sufficient reason in thus carrying the Blessed Sacrament from one church to another when he wishes ‘to give the people an opportunity of assisting at Benediction?’ In order to give Benediction with the *ostensorium* on any occasion outside the Feast of Corpus Christi and its Octave, there is required ‘a just and grave cause, especially public, and the permission of the Ordinary.’⁵ If then the Ordinary, knowing all the circumstances of the case, authorizes Benediction, there is no objection to carrying the Blessed Sacrament in a lunette to give Benediction.

We assume that the Blessed Sacrament is reserved in the church or oratory in question.⁶ It would be much better, we are convinced, to have a lunette in the particular church.

¹ Decr. 3324; 3448, § 9; 3935, § 1.

² *S. C. Indulg.*, 10th June, 1885; 20th May, 1891.

³ Decr. 640.

⁴ Decr. 3576, ad 12.

⁵ Canon 1274, § 1; Decr. 6th March, 1927.

⁶ Canon 1274, § 1.

**PRAYERS BEFORE AND AFTER ADMINISTERING HOLY
COMMUNION TO THE SICK**

REV. DEAR SIR,—I would be glad if you answered in the next copy of the I. E. RECORD the following query :—

What prayers are to be said before and after administering Holy Communion to those unable to go to the church, but who are otherwise not subjects for the Last Sacraments? They are what is known as ‘fasting calls.’ Some, I know, say the prayers that are said in the church in giving Holy Communion *Extra Missam*, others the prayers that are said when administering Holy Communion *per modum Viatici*.

‘VICARIUS.’

The prayers to be said in administering Holy Communion to the sick, as given in the new Roman Ritual,¹ are practically the same as those that are said in administering the Holy Viaticum. They are as follows:—

(a) *Before Holy Communion*.—On entering the sick room the priest says, *V. Pax huic domui. R. Et omnibus.* The Ant. *Asperges*, followed by the first verse of the *Miserere*, *Gloria Patri* and the Ant. *Asperges* repeated. He then says the versicles and responses beginning: *V. Adjutorium, V. Domine, V. Dominis vobiscum, Oremus*, followed by prayer, *Exaudi nos*. The sick person then makes his confession, if necessary. The *Confiteor* is said by the sick person or by another in his name. The priest then says *Misereatur tui* (or *vestri*, if he is attending a number of sick), *Indulgentiam . . . tuorum (vestrorum)*, and afterwards *Ecce Agnus Dei*, etc. *Domine non sum dignus*, three times; the sick person also reciting these words at least once. The priest administers Holy Communion with the usual words *Corpus Domini*.

(b) *After Holy Communion*.—After the priest has purified his fingers he says, *V. Dominus vobiscum, Oremus*, followed by the prayer *Domine sancte*—this prayer is put in the plural if he is attending more than one. If a Consecrated Host remains in the pyx the priest says nothing during the Blessing; if no Particle remains he says *Benedictio Dei omnipotentis . . . super te (vos)*, making the sign of the Cross with his hand.

On his return to the church the priest places the pyx on the altar and genuflects. He then says *V. Panem de coelo*, and to the *V.* and *R.* he adds *Alleluia* during Paschal Time and the Octave of Corpus Christi. This is followed by *V. Dominus vobiscum, Oremus*, and the prayer *Deus qui nobis*—even during Paschal Time²—with the short conclusion.

It may be added that the Ritual prescribes the recitation of the ‘Psalm *Miserere* and other Psalms and Canticles’ by the priest while he is carrying the Blessed Sacrament to the sick person; and the ‘Psalm *Laudate Dominum de coelis* and other Psalms and Hymns’ on his way back to the church.

M. EATON.

¹ *Rit. Rom.*, tit. iv. cap. iv.

² *Decr.* 2089 ad 7.

DOCUMENTS

NEW MASS AND OFFICE FOR THE FEAST OF THE MOST SACRED HEART OF JESUS

(January 29, 1929)

SACRA CONGREGATIO RITUUM

OFFICIUM ET MISSA

PRO FESTO SACRATISSIMI CORDIS JESU

ET EJUS OCTAVA

INSERENDUM

IN PROPRIO DE TEMPORE

INFRA HEBDOMADAM II POST OCTAVAM PENTECOSTES

FERIA V

IN OCTAVA SSMI CORPORIS CHRISTI

.
Vesperæ de sequenti.

FERIA VI

IN FESTO SACRATISSIMI CORDIS JESU

Duplex I classis cum Octava privilegiata III ordinis

IN I VESPERIS

Ant. 1. Suávi jugo tuo * domináre, Dómine, in médio inimicórum tuórum.

Ps. 109. Dixit Dóminus.

2. Miséricors * et miserátor Dóminus: escam dedit timéntibus se.

Ps. 110. Confitébor tibi, Dómine.

3. Exórtum est * in ténebris lumen rectis; miséricors et miserátor Dóminus.

Ps. 111. Beátus vir qui timet Dóminus.

4. Quid retribuam Dómino pro ómnibus quae retribuit mihi.

Ps. 115. Crédidi, propter quod locúsus sum.

5. Apud Dóminum * propitiatio est et copiósá apud eum redemptio.

Ps. 129. De profúndis clamávi ad te, Dómine.

Capitulum

Ephes. 3, 8-9

Fratres, mihi ómnium sanetórum mínimo data est grátia hæc, in gén-tibus evangelizáre investigábiles divítias Christi; et illumináre omnes, quæ sit dispensátio sacraménti absconditi a sæculis in Deo.

Hymnus

En ut supérba críminum

Et sæva nostrórum cohors

Cor sauciávit innocens

Meréntis haud tale Dei!

Vibrántis hastam mílitis
 Peccáta nostra dírigunt,
 Ferrúmque diræ cúspidis
 Mortále erimen ácuit.

Ex Corde seisso Eeelésia,
 Christo jugáta, náseitur :
 Hoc óstium areæ in látere est
 Genti ad salútem pósitum.

Ex hoc perénnis grátia,
 Ceu septifórmis flúvius,
 Stolas ut illie sórdidas
 Lavémus Agni in sánguine.

Turpe est redíre ad erímína,
 Quæ Cor beátum láccrent :
 Sed æmulémur córdibus
 Flammas amóris índices.

Jesu, tibi sit glória,
 Qui Corde fundis grátiam,
 Cum Patre et almo Spíritu
 In sempitérna sácula. Amen.

Sic terminantur omnes Hymni per totam Octavam.

Ÿ. Tóllite jugum meum super vos et discite a me.

Ŗ. Quia mitis sum et húmilis Corde.

*Ad Magnif. Ant. Ignem * veni mittere in terram, et quid volo nisi ut accendátur ?*

Oratio

Deus qui nobis, in Corde Filii tui, nostris vulneráto peccátis, infínitos dilectiónis thesáuros misericórditer largíri dignáris ; eoneéde, quæsumus, ut illi devótum pietátis nostræ præstántes obséquium, dignæ quoque satisfactiónis exhibeámus offlieium. Per eúmdem Dóminum.

Nulla fit commemoratio, nisi Ss. Petri et Pauli Apostolorum vel. S. Joannis Baptistæ si hac die occurrerint.

Completorium de Dominica.

AD MATUTINUM

*Invit. Cor Jesu amóre nostri vulnerátum * Veníte, adorémus.*

Ps. 94. Veníte, exsultémus.

Hymnus

Auctor beáte sáculi,
 Christe, Redémptor ómnium,
 Lumen Patris de lúmíne,
 Deúsque verus de Deo :

Amor coégit te tuus
 Mortále corpus súmere,
 Ut, novus Adam, rédderes
 Quod vetus ille abstúlerat.

Ille amor almus ártifex
 Terræ marisque et siderum,
 Erráta patrum miserans
 Et nostra rumpens víncula.

Non Corde discédat tuo
 Vis illa amóris ínclyti :
 Hoc fonte gentes háuriant
 Remissiónis grátiam.

Percússum ad hoc est láncea
 Passúmque ad hoc est vúlnera,
 Ut nos laváret sórdibus,
 Unda fluénte et sánguine.

Jesu, tibi sit glória,
 Qui Corde fundis grátiam,
 Cum Patre et almo Spírítu
 In sempitérna sácula. Amen.

IN I NOCTURNO.

Ant. Cogitátiones * Cordis ejus in generatióne et generatiónem.

Ps. 32. Exsultáte, justí, in Dómino.

Ant. Apud te * est fons vitæ ; torrén-te voluptátis tuæ potábis nos,
 Dómine.

Ps. 35. Dixit injústus ut delínquat in semetípso.

Ant. Homo pacis meæ, qui edébat panes meos, magnificávit super
 me supplantatiónem.

Ps. 40. Beátus qui intélligit super egénium et páuperem.

Ÿ. Tóllite jugum meum super vos et díscite a me.

Ÿ. Quia mitis sum et húmilis Corde.

De Hieremía Prophéta

Lectio I

Cap. 24, 5-7

Hæc dicit Dóminus, Deus Israël : Cognóscam transmigratiónem Juda, quam emísi de loco isto in terram Chaldæórum, in bonum. Et ponam óculos meos super eos ad placándum, et redúcam eos in terram hanc ; et ædificábo eos, et non déstruam ; et plantábo eos et non evéllam. Et dabo eis cor ut sciant me, quia ego sum Dóminus ; et erunt mihi in pópulum, et ego ero eis in Deum, quia reverténtur ad me in toto corde suo.

Ÿ. Fériam eis pactum sempitérnium et non désinam eis benefácere et timórem meum dabo in corde eórum * Ut non recédant a me. Ÿ. Et lætábor super eis cum bene eis féceró in toto Corde meo. Ut non.

Lectio II

Cap. 30, 18-24

Hæc dicit Dóminus : Ecce ego convértam conversiónem tabernaculórum Jacob, et tectis ejus miserébor, et ædificábitur cívitas in excélsu suo, et templum juxta ór-dinem suum fundábitur, et egrediétur de eis laus, voxque ludéntium. Et erit dux ejus ex eo, et princeps de médio ejus producétur ; et applicábo eum et accédet ad me. Quis enim iste est qui

applicet cor suum ut appropinquet mihi? ait Dóminus. Et éritis mihi in pópulum, et ego ero vobis in Deum. Ecce turbo Dómini, furore egrédiens, procélla ruens; in cápite impiórum conquiescet. Non avértet iram indignatiónis Dóminus, donec fáciat et cómpleat cogitatiónem Cordis sui: in novissimo diérum intelligétis ea.

℞. Si inimícus meus maledixisset mihi, sustinuissem útique * Tu vero homo unánimis qui simul mecum dulces capiébas cibos. ℥. Et si is qui me óderat super me magna locútus fuisset, abscondissem me fórsitan ab eo. Tu vero.

Lectio III

Cap. 31, 1-3, 31-33

In témpore illo, dicit Dóminus, ero Deus univérsis cognatióibus Israél, et ipsi erunt mihi in pópulum. Hæc dicit Dóminus: Invénit grátiam in deserto pópulus qui remánserat a gládio; vadet ad réquiem suam Israél. Longe Dóminus apparuit mihi. Et in caritaté perpétua diléxi te: ideo atráxi te, míserans. Ecce dies vénient, dicit Dóminus: et fériam dómui Israél et dómui Juda fœdus novum: non secúndum pactum, quod pépigi eum pátribus eórum in die, qua apprehéndi manum eórum, ut edúcerem eos de Terra Ægýpti: pactum quod írritum fecerunt, et ego dominátus sum eórum, dicit Dóminus. Sed hoc erit pactum, quod fériam cum domo Israél: post dies illos dicit Dóminus: Dabo legem meam in viscéribus eórum, et in corde eórum scribam eam: et ero eis in Deum, et ipsi erunt mihi in pópulum.

℞. Cum essémus mórtui peccátis, convivificávit nos Deus in Christo * propter nímiã caritatém suã qua diléxit nos. ℥. Ut osténderet in sœculis superveniéntibus abundátes divitias grátie suæ. Propter. Glória Patri. Propter.

IN II NOCTURNO

Ant. Rex omnis terræ * Deus; regnábít super Gentes.

Ps. 46. Omnes Gentes, pláudite mánibus.

Ant. Dum anxiarétur * Cor meum, in petra exaltásti me.

Ps. 60. Exáudi, Deus, deprecatiónem meam.

Ant. Secúndum multítudinem * dolórum meórum in Corde meo, consolatiónes tuæ lætificavérunt ánimam meam.

Ps. 93. Deus ultiónum Dóminus.

℥. Ego dixi, Dómine, miserére mei.

℞. Sana ánimam meam quia peccávi tibi.

Lectio IV

Inter mira sacræ doctrinæ pictatisque increméta, quibus divínæ Sapiéntiæ consília clárius in dies Ecclésiæ manifestántur, vix áliud magis conspécuum est quam triumphális progréssio cultus Sacratíssimi Cordis Jesu. Sæpius quidem, priórum decúrsu témporum, Patres, Doctóres, Sancti, Redemptóris nostri amórem celebrárum: vulnus in látere Christi apértum ómnium gratiárum arcánium dixérunt fontem. At inde a médio ævo, cum tenerióre quadam erga Sanctíssimam Salvatóris Humanitátem religióne fidéles áffici cœpti sunt, ánimæ contemplatívæ per plagam illam ad ipsum Cor, amóre hómínium vulnerátum, penetráre fere solébant.

Atque ex eo t mpore h c contempl tio sanct ssimis quib sque ita famili ris ev s t, ut neque r gio neque ordo religi sus sit, in quibus non insignia, hac  tate, ejus reperi ntur testim nia. Pr ximis demum s culis, c que pot ssimum t mpore quo her tici, sub falsa piet tis t tulo, a Sanct ssima Eucharistia Christi nos deterrere conab ntur, cultus Sacrat ssimo Cordi p blice exhiberi c ptus est,  pera imprimis sancti Jo n s Eudes, qui  uctor lit rgici cultus Sacrorum C rdium Jesu et Mari e haud imm rito nuncup tur.

℞. Prope est D minus  mnibus invoc ntibus eum * Omnibus invoc ntibus eum in veritate. ℞. Mis rator et mis ricors D minus, p tiens et multum mis ricors. Omnibus.

Lectio V

Verum, ad cultum Sacrat ssimi Cordis Jesu plene perfect que constituendum, eundemque per totum orbem propagandum, Deus ipse sibi instrumentum el git humillimum ex ordine Visit tionis virginem, sanctam Margarit m Mari m Alac que, cui, a prima quidem  tate, jam in Eucharistia Sacramentum am re flagr nti, Christus D minus s pen mero app rens, divini Cordis sui et divitias et optata significare dignatus est. Quarum apparit onum celeberrima illa est, qua ei ante Eucharistiam or nti Jesus conspiciendum se dedit, Sacrat ssimum Cor ost ndit et, conquestus quod, pro immensa sua caritate, nihil nisi ingratorum hominum contumelias reciperet, ipsi pr cepit ut novum festum, feria sexta post octavam Corporis Christi, instituendum eur ret, quo Cor suum honore debito coleretur, atque injuri e sibi in Sacramento amoris a peccatoribus illata dignis expiarentur obscquiis. Quot autem quantasque Dei fama in Christi mandatis exsequendis experita sit difficultates, nemo est qui ignoret; sed ab ipso D mino confirmata, atque a religi sis  nimae sue moderat ribus, qui incredibili quodam ardore ad hunc cultum promovendum laborarunt, strenue adjuta, m nere sibi c litis commisso fideliter fungi ad mortem usque non destitit.

℞. Confiteor tibi Pater, D mine c eli et terr e, quia abscondisti h c a sapientibus et prudentibus * Et revelasti ea p rvulis. ℥. Ita, Pater, quoniam sic fuit placitum ante te. Et revelasti.

Lectio VI

Anno tandem mill simo septingentesimo sexagesimo quinto, Clemens Decimus tertius Pontifex Maximus officium et missam in honorem Sacrat ssimi Cordis Jesu approbavit; Pius vero Nonus festum ad universam Eccl siam extendit. Exinde, cultus Sacrat ssimi Cordis, quasi flumen exundans, prolutis impedimentis  mnibus, per totum se orbem effudit et, novo illucescente s culo, jubileo indicto, Leo Decimus tertius humanum genus universum Sacrat ssimo Cordi devotum voluit. Qu  consecratio, in  mnibus quidem catholici orbis eccl siis, soll mni ritu peracta, ingens attulit devot onis hujus inerementum, et ad eam non solum p pulos, verum  tiam singulares familias adduxit, qu  Divino Cordi innumerabiles se devovent, regioque ejus imp rio subjiciunt. Denique, Pius Undecimus Pontifex Maximus, quo plenius festi soll mnitatis p puli christiani

devoti6ni tam late patenti respondéret, Sacratíssimi Cordis Jesu festum ad ritum dúplicem primæ classis cum octáva evéxit; ac prætærea, ut violáta jura Christi summi Regis ac D6mini amantíssimi resarciréntur, populorúmque peccáta defleréntur, e6dem festo die piaculárem precati6nem in 6mnibus christiáni orbis templis quotánnis recitándam mandávit.

R. Omnes gentes quasúmque fecisti vénient * Et adorábunt coram te, D6mine. V. Et gloriificábunt nomen tuum qu6niam magnus es tu, et faciens mirabilia. Et adorábunt. Gl6ria Patri. Et adorábunt.

IN III NOCTURNO

Ant. Qui diligitis D6minum, * confitémini mem6riæ sanctificati6nis ejus.

Ps. 96. D6minus regnávit, exsúltet terra.

Ant. Vidérunt * omnes términi terræ salutáre Dei nostri.

Ps. 97. Cantáte D6mino cánticum novum.

Ant. Psallam tibi * in nati6nibus, quia magna est super cælos miseric6rdia tua.

Ps. 107. Parátum cor meum Deus, parátum cor meum.

V. Mem6riam fecit mirabilium su6rum miserátor D6minus.

R. Escam dedit timéntibus se.

Léctio sancti Evangélii secúndum Joánnem.

Lectio VII

Cap. 19, 31-37

In illo témpore : Judæi, qu6niam parascève erat, ut non remanérnt in cruce c6rpora sábbato, erat enim magnus dies ille sábbati, rogavérunt Pilátum ut frangeréntur e6rum erura et tolleréntur. Et réliqua.

Homília sancti Bonaventúre epíscopi

Liber de ligno vitæ, num. 30

Ut de látere Christi dormiéntis in cruce formarétur Ecclésia, et Scriptúra implerétur quæ dicit : Vidébunt in quem transfixérunt, divina est ordinati6ne indúltum ut unus militum lancea latus illud sacrum aperiéndo perf6deret, quátenus, sángine cum aqua manánte, prætium effunderétur nostræ salutis, quod a fonte, scilicet Cordis arcáno profúsum, vim daret sacraméntis Ecclésiæ ad vitam grátie conferéndam, essétque jam in Christo vivéntibus p6culum fontis vivi, saliéntis in vitam ætérnam. Surge igitur, ánima amíca Christi, vigiláre non cesses, ibi os app6ne, ut háurias aquas de f6ntibus salvatóris.

R. Ego si exaltátus fúero a terra * Omnia traham ad meípsum.

V. Hoc autem dicébat significans qua morte esset moritúrus. Omnia.

De vite mystica

Lectio VIII

Cap. 3

Quia semel vénimus ad Cor D6mini Jesu dulcíssimi, et bonum est nos hic esse, non fácele evellámur ab eo. Q quam bonum et jucúndum habitáre in Corde hoc. Bonus thesáurus, preti6sa margarita Cor tuum óptime Jesu, quam fosso agro c6rporis tui invenímus. Quis hanc margarítam abjiciat ? Quin p6tius, dabo omnes margarítas, cogitati6nes et affecti6nes

meas commutábo et comparábo illam mihi, jactans omnem cogitátum meum in Cor boni Jesu, et sine fallácia illud me enútriet. Hoc ígitur tuo et meo Corde, dulcíssime Jesu, invénto, orábo te Deum meum : admítte in sacrárium exauditiónis preces meas : immo me totum trahe in Cor tuum.

R̄. Simus ergo imitatóres Dei * Et ambulémus in dilectiône. Ÿ. Sicut et Christus diléxit nos et trádidit semetípsum pro nobis. Et ambulémus. Glória Patri. Et ambulémus.

Lectio IX

Ad hoc enim perforátum est latus tuum, ut nobis páteat intróitus. Ad hoc vulnerátum est Cor tuum, ut in illo ab exterióribus turbatióibus absolúti habitáre possimus. Nihilóminus et própterea vulnerátum est, ut per vulnus visibile, vulnus amóris invisibile videámus. Quómodo hic ardor mélius posset osténdi, nisi quod non solum corpus, verum étiam ipsum Cor lancea vulnerári permísit? Carnále ergo vulnus, vulnus spirituále osténdit. Quis illud Cor tam vulnerátum non díligat? quis tam amántem non rédamet? quis tam castum non amplectátur? Nos ígitur adhuc in carne manéntes, quantum póssumus, amántem redamémus, amplectámur vulnerátum nostrum, cujus ímpii agricolæ fodérunt manus et pedes, latus et Cor; orémusque ut cor nostrum, adhuc durum et ímpænitens, amóros sui vínulo constringere et jáculo vulneráre dignétur.

Te Deum laudámus.

AD LAUDES ET PER HORAS

Ant. 1. Unus mílitum * lancea latus ejus apéruit et contínuo exívit sanguis et aqua.

Psalmi de Dominica 1 loco.

2. Stans Jesus * clamábat dicens : Si quis sitit véniat ad me et bibat.

3. In caritáte perpétua * diléxit nos Deus, ídeo, exaltátus a terra, attráxit nos ad Cor suum, míserans.

4. Veníte ad me * omnes qui laborátis et oneráti estis et ego reficiam vos.

5. Fili * præbe mihi cor tuum et óculi tui custódiant vias meas.

Capitulum

Ephes. 3, 8-9

Fratres, mihi ómnium sanctórum mínimo data est grátia hæc, in géntibus evangelizáre investigábiles divítias Christi; et illumináre omnes, quæ sit dispensátio sacraménti abscónditi a sæculis in Deo.

Hymnus

Cor, area legem cótinens
Non servitútis véteris,
Sed grátix, sed vénix,
Sed et misericórdix.

Cor, sanctuárium novi
Intemerátum fœderis,
Templum vetústo sánctius,
Velúmque scisso útilius.

Te vulnerátum cáritas
Ictu paténti vóluit,
Amóris invisibilis
Ut venerémur vúlnera.

Hoc sub amóris sýmbolo
Passus cruénta et mýstica,
Utrúmque sacrificium
Christus sacérdos óbtulit.

Quis non amántem rédamet ?
Quis non redéemptus dilígat,
Et Corde in isto séligat
Ætérna tabernácula ?

Jesu, tibi sit glória,
Qui Corde fundis grátiam
Cum Patre et almo Spírítu
In sempitérna sæcula. Amen.

Ÿ. Hauriétis aquas in gáudio.

R̄. De fóntibus Salvatóris.

Ad Benedictus Ant. Facta sunt * enim hæc ut Scriptúra implerétur quæ dicit : Vidébunt in quem transfíxerunt.

Oratio

Deus qui nobis, in Corde Filii tui, nostris vulneráto peccátis, infinitos dilectiónis thesáuros misericórditer largíri dignáris ; concéde, quæsumus, ut illi devótum pietátis nostræ præstántes obséquium, dignæ quoque satisfactiónis exhibeámus officium. Per eúndem Dóminum.

Ad Horas Psalmi de Dominica, ad Primam tamen ut in Festis : et ad eam in Responsorio brevi dicitur Versus : Qui Corde fundis grátiam, per totam Octavam.

AD TERTIAM

Capitulum Fratres, mihi ómnium *ut supra.*

R̄. *br.* Tóllite jugum meum super vos * et discite a me. Tóllite, Ÿ. Quia mitis sum et húmilis Corde. Et discite. Glória Patri. Tóllite.

Ÿ. Ego dixi : Dómine, miserére mei.

R̄. Sana ánimam meam quia peccávi tibi.

AD SEXTAM

Capitulum

Ephes. 3, 14-17

Hujus rei grátia flecto génua mea ad Patrem Dómini nostri Jesu Christi, ut det vobis secúndum divítias glóriæ suæ virtúte corroborári per Spírítum ejus in interiorem hóminem : Christum habitáre per fidem in córdibus vestris.

R̄. *br.* Ego dixi, Dómine * miserére mei. Ego dixi. Ÿ. Sana ánimam meam quia peccávi tibi. Miserére mei. Glória Patri. Ego dixi.

Ÿ. Memóriam fecit mirabílium suórum miserátor Dóminus.

R̄. Escam dedit tíméntibus se.

AD NONAM

*Capitulum**Ephes. 3, 17-19*

In caritatē radicāti et fundāti, ut possitis comprehendere cum ómnibus sanctis, quæ sit latitúdo et longitúdo, et sublimitas et profúndum; scire étiam supereminéntem sciéntiæ caritatē Christi, ut impleāmini in omnem plenitúdinem Dei.

R. *br.* Memóriam fecit mirabílium suórum * Miserátor Dóminus. Memóriam. V. Escam dedit timéntibus se. Miserátor. Gloria Patri. Memóriam.

V. Hauriétis aquas in gáudio.

R. De fóntibus Salvatóris.

IN II VESPERIS

Antiphonæ et Capitulum de Laudibus. Psalmi ut in I Vesperis Festi Ssmi Corporis Christi.

Hymnus En ut supérba críminum.

V. Hauriétis aquas in gáudio.

R. De fóntibus Salvatóris.

Ad Magnificat Ant. Ad Jesum autem * cum venissent, ut vidérunt eum jam mórtuum, non fregérunt ejus crura, sed unus militum lancea latus ejus apéruit et continuo exívit sanguis et aqua.

Completorium de Dominica.

Infra octavam et in die Octavæ Officium fit ut in Festo, præter Lectiones, quæ pro singulis diebus assignantur propriæ.

Si infra Octavam celebretur Officium, quod Lectiones I Nocturni sumat de Scriptura occurrenti, hæ dicuntur cum Responsoriis de Festo.

AD MISSAM

*Introitus**Ps. 32, 11 et 19*

Cogitatiónes Cordis ejus in generatióne et generatióne: ut éruat a morte ánimas eórum et alat eos in fame. *Ps. ibid.* 1. Exsultáte justi in Dómino, rectos decet collaudátio. V. Glória Patri.

Oratio

Deus qui nobis, in Corde Fílii tui, nostris vulneráto peccátis, infinitos dilectiόνis Chesáuros misericórditer largíri dignáris; concéde, quæsumus, ut illi devótum pietátis nostræ præstántes obséquium, dignæ quoque satisfactiόνis exhibeámus officium. Per éumdem Dóminum.

Léctio Epístolæ beáti Pauli Apóstoli ad Ephésios

Ephes. 3, 8-19

Fratres mihi ómnium sanctórum mínimo data est grátia hæc, in gén-tibus evangelizáre investigábiles divítias Christi: et illumináre omnes, quæ sit dispensátio sacraménti absconditi a sæculis in Deo qui ómnia creávit: ut innotéscat principátibus et potestátibus in cæléstibus per Ecclésiám multifórmis sapiéntia Dei: secúndum præfinitióne[m] sæculórum quam fecit in Christo Jesu Dómino nostro, in quo habémus fidúciám et

accessum in confidentia per fidem ejus. Hujus rei gratia flecto genua mea ad Patrem Domini nostri Jesu Christi, ex quo omnis paternitas in caelis et in terra nominatur: ut det vobis secundum divitias gloriae suae, virtute corroborari per Spiritum ejus in interiorum hominem: Christum habitare per fidem in cordibus vestris: in caritate radicati et fundati: ut possitis comprehendere, cum omnibus sanctis, quae sit latitudo, et longitudo, et sublimitas et profundum: scire etiam supereminentem scientiae caritatem Christi, ut impleamini in omnem plenitudinem Dei.

Graduale. Ps. 24, 8-9. Dulcis et rectus Dominus, propter hoc legem dabit delinquentibus in via. *V.* Diriget mansuetos in iudicio, docebit mites vias suas.

Allelúja, allelúja. *Matth. 11, 29.* Tollite jugum meum super vos et discite a me, quia mitis sum et humilis corde, et invenietis requiem animabus vestris. Allelúja.

In Missis Votivis post Septuagesimam, omissis Allelúja et Versu sequenti, dicitur:

Tractus. Ps. 102, 8-10. Misericors et misericorator Dominus, longanimis et multum misericors. *V.* Non in perpetuum irascetur, neque in aeternum comminabitur. *V.* Non secundum peccata nostra fecit nobis, neque secundum iniquitates nostras retribuit nobis.

Tempore autem Paschali, omissis Graduali et Tractu, dicitur:

Allelúja, allelúja. *Matth. 11, 29 et 28.* Tollite jugum meum super vos et discite a me, quia mitis sum et humilis corde, et invenietis requiem animabus vestris. Allelúja. *V.* Venite ad me omnes qui laboratis et onerati estis et ego reficiam vos. Allelúja.

✠ Sequentia sancti Evangelii secundum Joannem

Joann. 19, 31-37

In illo tempore: Judaei, quoniam Parasceve erat, ut non remaneret in cruce corpora sabbato, erat enim magnus dies ille sabbati, rogaverunt Pilatum ut frangerentur eorum crura et tollerentur. Venierunt ergo milites, et primi quidem fregérunt crura et alterius qui crucifixus est cum eo. Ad Jesum autem cum venissent, ut viderunt eum iam mortuum, non fregérunt ejus crura: sed unus militum lancea latus eius aperuit, et continuo exivit sanguis et aqua. Et qui vidit testimonium perhibuit: et verum est testimonium ejus. Et ille scit quia vera dicit, ut et vos credatis. Facta sunt enim haec ut Scriptura impleretur: Os non comminuetis ex eo. Et iterum alia Scriptura dicit: Vidébunt in quem transfixerunt. Credo.

Offertorium. Ps. 68, 21. Improperium expectavit Cor meum et miseriam, et sustinui qui simul mecum contristarétur et non fuit; consolantem me quaesivi et non inveni.

Tempore vero Paschali, in Missis votivis, sic mutatur Offertorium:

Offertorium. Ps. 39, 7-9. Holocaustum et pro peccato non postulasti; tunc dixi: Ecce venio. In capite libri scriptum est de me ut facerem voluntatem tuam: Deus meus volui et legem tuam in medio Cordis mei. Allelúja.

Secreta.

Réspice, quæsumus, Dómine, ad ineffáblem Cordis dilécti Filii tui caritátem : ut quod offérimus sit tibi munus accéptum et nostrórum expiatio delictórum. Per eúndem Dóminum.

Praefatio.

Vere dignum et justum est, æquum et salutáre, nos tibi semper et ubique grátias ágere : Dómine sancte, Pater omnipotens, ætérne Deus : qui Unigénitum tuum in cruce pendéntem láncea mílitis transfigi voluísti, ut apértum Cor, divínae largitátis sacrárium, torréntes nobis fúnderet miseratiónis et grátiae, et quod amóre nostri flagráre nunquam déstitit, piis esset réquies et pœniténtibus patéret salutis refúgium. Et ideo. . .

Communio. Joann. 19, 34. Unus mílitum láncea latus ejus apéruit, et continuo exívit sánguís et aqua.

Tempore autem Paschali, in Missis votivis, sic mutatur Communio :

Communio. Joann. 7, 37. Si quis sitit véniat ad me et bibat. Allelúja, Allelúja.

Postcommunio

Præbeant nobis, Dómine Jesu, divínium tua sancta fervórem ; quo dulcíssimi Cordis tui suavitate percépta, discámus terréna despícere, et amáre cæléstia : Qui vivis.

[Here follow in the *Acta Apostolicae Sedis* the Offices for the days within the Octave of the Feast.]

URBIS ET ORBIS

DECRETUM

Quo plenius Sacratissimi Cordis Iesu Festi sollemnitas devotioni populi christiani responderet, Ssñus D. N. Pius Papa XI, litteris suis Encyclicis 'Miserentissimus Redemptor,' die VIII mensis Maii anno MDCCCXXVIII datis, dictum festum ad ritum duplicem primae classis, cum octava privilegiata tertii ordinis, evexit, ipsum praeterea primarium declaravit et feriatis festis equiparandum esse decrevit. Concinnatum autem a speciali Commissione, de mandato quidem eiusdem Ssñi Domini, integrum officium cum missa Sacra Rituum Congregatio approbandum censuit. Itaque facta per infrascriptum Cardinalem Sacrae Rituum Congregationis Pro Praefectum Sanctissimo Patri relatione in Audientia habita die 29 Ianuarii 1929, Sanctitas Sua praefatum officium cum missa proprium, prouti in superiori prostat exemplo, approbare dignata est, illudque, in universa Ecclesia, ab utroque Clero et a quibuslibet recitationi Officii divini, iuxta Romanum ritum, adstrictis adhiberi iussit ; servatis rubricis. Contrariis non obstantibus quibuscumque, etiam speciali mentione dignis.

Die mense et anno quibus supra.

C. CARD. LAURENTI, S. R. C. Pro Praefectus.

L. ✠ S.

ANGELUS MARIANI, Secretarius.

**ANNOUNCEMENT OF TREATY IN 'ACTA APOSTOLICAE
SEDIS'**

(March 6, 1929)

DIARIUM ROMANAE CURIAE

Alle ore 12 di lunedì 11 Febbraio, nella sala dei Papi del Palazzo Apostolico Lateranense, è stato firmato un Trattato fra la Santa Sede e l'Italia con cui viene composta la ' Questione Romana,' nonchè un Concordato per regolare le condizioni della Religione e della Chiesa in Italia; col Trattato veniva pure firmata un'apposita Convenzione Finanziaria. Erano Plenipotenziari: Sua Eminenza Rev^{ma} il Signor Cardinale PIETRO GASPARRI, Segretario di Stato di Sua Santità, e Sua Eccellenza il Signor Cavaliere BENITO MUSSOLINI, Primo Ministro e Capo del Governo d'Italia.

**BENEDICTINE MONASTERY OF NEUBURG RESTORED TO
ABBATIAL GRADE**

(July 11, 1928)

AD ABBATIALEM GRADUM RESTITUITUR MONASTERIUM MONACHORUM O.S.
BENEDICTI, LOCI NEUBURG INTRA FINES ARCHIDIOECESIS FRIBURGENSIS.

LITTERAE APOSTOLICAE

PIUS PP. XI

Ad perpetuam rei memoriam.—Friburgensis archidioecesis intra fines Ordinis Sancti Benedicti exstat monasterium, cuius ecclesia in honorem Sancti Bartholomaei Apostoli Deo dicata est. Prope Heidelbergam civitatem positum suam originem habuit a quodam monachorum asceterio, quod, saeculo decimo secundo fundatum, vulgo *Neuburg* nuncupatum est, et sub iurisdictione celeberrimae atque antiquae Ordinis Sancti Benedicti abbatiae Laureshamensis diu perduravit. Lucius Pp II, decessor Noster, Neuburgense monasterium sollemniter adprobavit, idemque iuribus privilegiisque sat amplis ditavit. Postea vero monasterium, loco monachorum monialibus suffectis, Congregationi Bursfeldensi subiectum fuit, et virtutibus sodalium maxime floruit ad tempora usque germanicae, uti nuncupant, reformationis, cuius improbissima opera multa aerumnarum damnorumque passum est. Neuburgense tamen monasterium anno tantum MDCCIV ob leges saecularizationis tunc temporis illatas exstinctum est. At elapso plus quam saeculo ab huiusmodi monasterii fine, Archiab-batis S. Martini de Beuron studio sollertiaque, acdificia perantiqui Neuburgensis asceterii cum adiectis fundis Ordo S. Benedicti denuo comparavit; atque ita in eisdem, Friburgensium quoque Archiepiscopo probante, vita monachorum regularis instaurata est. Nunc autem, Deo favente, exsus-citati monasterii in claustris nova monachorum et fratrum conversorum familia, numero conspicua, floret adeo ut praelaudatus Archiab-bas Sancti Martini de Beuron, dilectus filius Raphael Walzer, moderator Congrega-tionis Beuronensis O. S. Benedicti, enixis precibus a Nobis exposcat ut

pro benignitate Nostra monasterium ipsum, sui iuris constitutum, ad abbatialem gradum restituere dignemur. Quibus supplicationibus Nos, audito quoque Sanctae Romanae Ecclesiae Cardinali Saerae Congregationi pro Religiosorum Sodalium negotiis praeposito, ultro libenterque adnuendum censuimus. Quapropter apostolica Nostra auctoritate, praesentium Litterarum tenore, monachorum monasterium Ordinis Sancti Benedicti loci *Neuburg*, archidioecesis Friburgensis intra fines, sub titulo Sancti Bartholomaei Apostoli, cum omnibus iuribus ac privilegiis olim ipsi concessis, in integrum restituimus, illudque, dummodo in eodem duodecim saltem chorales monachi adsint, in abbatiam sui iuris erigimus, quam Congregationi Beuronensi unimus, itemque privilegiorum ac favorum eidem Congregationi concessorum participem facimus.

Haec edicimus, mandamus decernentes praesentes Litteras firmas, validas atque efficaces semper exstare ac permanere, suosque plenos atque integros effectus sortiri atque obtinere, illisque ad quos pertinent sive pertinere poterunt, nunc et in posterum plenissime suffragari; sicque rite iudicandum esse ac definiendum, irritumque ex nunc et inane fieri, si quidquam secus super his, a quovis, auctoritate qualibet, scienter sive ignoranter attentari contigerit. Non obstantibus Apostolicis constitutionibus et ordinationibus ceterisque in contrarium facientibus quibuslibet.

Datum Romae apud Sanctum Petrum, sub anulo Piscatoris, die XI mensis Iulii anno MDCCCXXVIII, Pontificatus Nostri septimo.

P. CARD. GASPARRI, *a Secretis Status*.

CONFIRMATION OF THE IMMEMORIAL CULT OF THE SERVANT OF GOD, IRMENGARD, AN ABBESS OF THE BENEDICTINE ORDER

(December 19, 1928)

SACRA CONGREGATIO RITUUM

CONFIRMATIONIS CULTUS AB IMMORABILI TEMPORE PRAESTITI VEN.
SERVAE DEI IRMENGARDI, ABBATISSAE ORD. S. BENEDICTI, BEATAE
NUNCUPATAE.

SUPER DUBIO

*An sententia lata ab E^mo Domino Cardinali Archiepiscopo Monacensi
super cultu seu casu excepto praefatae Servae Dei sit confirmanda?*

Irmengardes iuxta antiquissimam traditionem circa annum 832 nata ex genitoribus Ludovico Teutonico Rege, Caroli Magni nepote, et Hemma eius uxore, Regina, non est confundenda cum Irmengarde prima uxore Ludovici nec cum Irmengarde, comitissa de S^uchteln quae sancte vixit et post a. 1082 piissime obiit et in dioecesi Coloniensi cultu publico, ab Apostolica Sede approbato, die 4 Octobris religiose honoratur. Nostra autem Irmengardes Chiemensis nuncupatur ob rationes infra adducendas. In libro Confraternitatis Sangallensis, primo loco inscribuntur cum matre Regina Hemma quatuor eius filiae Hildegardes, Irmengardes,

Berta, Gisela, cum quibus Dei famula primam aetatem recte honesteque peregit. Hildegardes et Berta, virginum coenobiis a patre acceptis, tamquam abbatissae, praefuerunt. Irmengardes, quae inter ceteras sorores et amicas religione et pietate eminebat, saeculi pompis, illecebris et divitiis valedicens se totam divino servitio devovit. Quapropter a genitore petiit atque obtinuit prius monasterium Buchawiense, postea monasterium seu abbatiam regalem Chiemensem simulque dotem ad illa restauranda. In hoc monasterio ipsa, virtutis et perfectionis forma, uti magistra et abbatissa, sibi sociavit multas virgines, unde meruit elogium Gerardi, abbatis Seeonensis, quod 'ovile suum deduxit ad Agnum, Agno dans plures virgineas comites, sanctis cara Deo meritis, eximiis undique plena bonis, sponso sponsa dicata Deo.' Itaque Irmengardes duo fundavit seu instauravit monasteria eaque instruxit omni supellectili et bonorum copia ditavit ad divinum cultum augendum et ad monialium indigentias sublevandas. In monasterio Chiemensi tamquam in horto et viridario moram fixit et virginibus sodalibus omni bono opere praeluxit. Ieiuniis, vigiliis et orationibus simulque caritatis et misericordiae operibus in egenos et pauperes summum Deum propitium et benignum reddere satagebat. Scriptores, poetae atque artifices, secundum proprias scientias et bonas artes, Irmengardis praeclaras virtutes et gloriosa gesta illustrarunt. Dei Famula in paucis vitae annis multa explevit tempora. Meritis plena, arcanam quandam Sponsi vocem audiens *Veni sponsa ad caelestes divini Agni nuptias* evolavit die 16 Iulii a. 866 in aetate triginta quatuor annorum. Servae Dei corpus in eiusdem monasterii ecclesia in arca marmorea honorifice depositum fuit. Chiemenses moniales fideliumque populus famulam Dei invocare et venerari coeperunt, eiusque cultus per plus quam undecim saecula perdurans usque in hodiernum diem floruit et floret. Ideo quaestio moveri licuit de cultu immemorabili famulae Dei seu de casu excepto a decretis Urbanianis. Cuius Causa ob varia impedimenta, ultimo propter immane bellum europaeum et subsequentes perturbationes, mansit suspensa, in Curia Archiepiscopali Monacensi deinceps resumpta et absoluta fuit cum sententia affirmativa et declaratoria Eminentissimi Archiepiscopi Ordinarii sub die 4 Octobris 1923. Acta processualia ad Sacram Rituum Congregationem transmissa fuerunt cum litteris datis die 2 Aprilis 1924. Instantibus autem Germaniae Episcopis, Fuldae congregatis, una cum coetu Episcoporum Bavariae, in civitate Frisingensi coadunato, R. P. Gabriel Locher, monachus O. S. B., Secretarius Rm̄i P. Abbatis Primatis et huius Causae legitimus Postulator, humillime petiit atque obtinuit a Ssm̄o Domino Nostro Pio Papa XI, per decretum S. R. C. dici 20 Octobris anni 1926, ut ista Causa Cultus immemorabilis apud hanc Sacram Congregationem ageretur iuxta veterem iuris ordinem et modum, cum dispensatione a novissimis Apostolicae Sedis decisionibus. Hic innuere libet quod in actis processualibus impressis et Eminentissimorum Patrum iudicio subiectis plura continentur argumenta ab actoribus Causae exhibita ad probandum cultum publicum ecclesiasticum perseverantem usque in praesens Abbatissae Irmengardi praestitum, iuxta veterem normam decretorum sa. me. Urbani Papae VIII. Inter cetera enumerantur et describuntur: elevatio,

visitatio et translatio canonica reliquiarum cum solemnitate et processione; pietas, fiducia et concursus fidelium ad easdem reliquias et imagines venerandas; ipsae imagines depictae cum titulo Beatae, radiis lucentibus et diademate in capite, gestantis baculum abbatialem, a peritis iuratis probatae; corona precum in honorem Beatae, Festum celebratum die 17 Iulii cum Officio et Missa et panegyrico; tabellae votivae ad sepulcrum et altare pro beneficiis imploratis et acceptis, epitaphium an. 1004 a Gerardo Abbate Seconensi compositum, qui fuit praelatus insignis et S. Henrico Imperatori intimus familiaris. Itaque instante praelaudato adm. Rev. P. Gabriele Locher, O.S.B., attentis litteris postulatoriis Eñorum Patrum Cardinalium, Archiepiscoporum Monacen. et Frisingen., Colonien. et Episcopi Wratislaviensis, necnon Revñorum Archiepiscoporum et Episcoporum Bavariae et Germaniae; rogantibus etiam abbatissa et sanctimonialibus coenobii Chiemensis, Eñus et Rñus Dñus Cardinalis Franciscus Ehrle eiusdem Causae Relator, in Ordinariis sacrorum rituum Congregationis comitiis, subsignata die ad Vaticanas aedes coactis, sequens dubium discutiendum proposuit: *An sententia lata ab Eñno Domino Cardinali Archiepiscopo Monacensi et Frisingensi super cultu seu casu excepto praefatae Servae Dei sit confirmanda?* Et Eñi ac Rñi Patres sacris tuendis ritibus praepositi post relationem ipsius Eñi Ponentis, audito voce et scripto R. P. D. Carolo Salotti, Fidei promotore generali, omnibus accurate discussis ac perpensis rescribendum censuerunt: *Affirmative seu sententiam Eñi Archiepiscopi Monacensis et Frisingensis esse confirmandam.* Die 18 Decembris 1928.

Facta postmodum de his Sanctissimo Domino Nostro Pio Papae XI per R. P. D. Carolum Salotti, Fidei promotorem generalem, relatione, Sanctitas Sua rescriptum eiusdem Sacrae Congregationis ratum habuit et probavit, die 19 cisdem mense et anno.

✠ A. CARD. VICO, Ep. Portuen. et S. Rufinae,
S. R. C. Praefectus.

L. ✠ S.

ANGELUS MARIANI, *Secretarius.*

REVIEWS AND NOTES

A HUNDRED YEARS OF CATHOLIC EMANCIPATION (1829-1929). By Denis Gwynn. Longmans. xxxi+287 pp. 10s. 6d. net.
CATHOLIC EMANCIPATION, 1829-1929. Essays by Various Writers. Longmans. ix+281 pp. 10s. 6d. net.

WE have, in an earlier issue of the I. E. RECORD, reviewed Mr. Gwynn's book on *The Struggle for Catholic Emancipation*. It is a fine book. Now he has followed it up with this volume on Catholic events during the century since the passing of Emancipation. Like the earlier book, this is very readable; but from our particular point of view it may be considered to lose in interest from the fact that it is a review of this century's events in England, and touches on the Irish history of the period only very incidentally or in relation to the Irish immigration into Great Britain. Still, such insularity in our outlook would be a tremendous pity; and, personally, we believe that the story of the Oxford Movement and of the great names connected with it is as intensely interesting to a Catholic reader as any event in the history of our own country during the same hundred years. Mr. Gwynn's record of that movement, or the part played by Wiseman, of the trials of Newman, and of Newman's ultimate conversion, exhibits the same power of graphic presentation which made his earlier book a joy to the reader.

The book of essays covers the same period, but on a different plan. Here we have discussions of the relation between the Catholic Church and the various forces with which it comes in contact. Thus, we have an essay on 'The Catholic Church and Literature,' another on 'The Catholic Church and Science.' Add to the interest inherent in the subjects dealt with, the fact that each is entrusted to an expert in the particular matter in hand, and you have an idea of the value of this book. The article on Science is written by the lately-deceased Sir Bertram Windle; other contributors are Monsignor William Barry, Viscount Fitzalan, Father Thurston, S.J., and Mr. Chesterton. The names of the writers contributing to the volume give it a better recommendation for readers who like serious thought as well as fine literary form, than anything we could say in praise of it.

J. F. O'D.

CONCISE DICTIONARY OF IRISH BIOGRAPHY. By John S. Crone, M.R.I.A.
Dublin: The Talbot Press, 1928. Price 10s. 6d. net.

DR. CRONE'S *Concise Dictionary of Irish Biography* is the first work of the kind, so far as we know, that has appeared in Ireland since O'Donoghue published *A Biographical Dictionary of the Poets of Ireland*

in the years 1892-93. In the intervening years many names of writers have been elevated to a national importance. Furthermore, Dr. Crone includes in his volume politicians and poets, saints and sinners, soldiers and statesmen, laymen and churchmen, the whole line of famous men and women in Ireland, even from the earliest dawn of history down to the year 1927. We should say that the list includes on a rough estimate over 2,500 names. The plan is similar to that adopted in the ordinary *Who's Who*; those who look for fuller information will find a List of Authorities given at the beginning of the volume, and sometimes Dr. Crone adds the title of a book of reference on the life and work of the person under the particular name. This *Concise Dictionary of Irish Biography* is a standard work of reference, which should be on the shelves of every public library in the country.

D. M.

THE DAWN OF CATHOLICISM IN AUSTRALIA. By Rev. Eris M. O'Brien. 2 vols. Angus and Robertson, Ltd., Sydney.

THE hours we spent in reading through the two fine volumes which Father Eris O'Brien has given us on what he calls the Catholic Dawn in Australia were happy hours. The story is one which will interest all, but particularly Irish readers. And it provokes thought.

If Divine Providence selected Father O'Flynn as Its agent for the founding of the Church in Australia, that would not surprise anyone who knows the plan of God to raise up the ignorant to confound the learned, and the weak to confound the strong. And if Divine Providence were looking for someone whose success could never detract from the glory of the [real Plotter and Doer, it could hardly have found a more suitable instrument than Father Jeremiah O'Flynn. The history of this strange man has, until the appearance of Father O'Brien's book, been for the most part unwritten; and while the truth was hiding in unexplored archives, the devotion of a people had made him a hero, a demi-god, a new St. Paul. But truth is stranger than fiction, and the history of Father O'Flynn is strange reading. To begin with, he was uneducated. The letters of his which we have extant are not, of course, any proof that he was uneducated, though they indicate it; on the other hand, neither the remark of the old man in Australia that 'he had the sweetest and the swiftest tongue of Irish that ever my ear heard,' nor the fact that he spoke French, are any proof or indication of education. Still, if the reader of his Life requires definite statements, one might say that his 'classical' studies 'at a seminary conducted by the Franciscan Friars at Killarney' could hardly be considered as having succeeded in imparting urbanity to the student; while his three years with the Cistercians at Lulworth were but a brief preparation for his ordination to the priesthood. In the second place, he was very direct in his methods: witness his affair with his Lord Abbot on the boat conveying him to his first mission, in the West Indies; or his taking ship for Australia immediately after he had been told by the Colonial

Secretary in London that he would not be granted a passport. In fact a very formidable list of charges could be made against this reverend gentleman, and both he and his admirers would find it difficult to counter the evidence supporting each of them. But with all his faults, he had an intense zeal for the spread of Catholic truth. When that zeal, which neither natural disposition nor acquired virtues tended to control, was let loose in diplomatic circles in Rome or in London, or in the area despotically ruled by Governor Macquarie—well, there was bound to be excitement.

The adventures of Father O'Flynn are very useful to the historian of Catholic Australia, inasmuch as around them can be woven the story to be told, with a consequent unity in the narrative which makes the reading easy. But it might be too easily imagined that Father O'Flynn really mattered; that he really contributed a great deal towards the Dawn—as, indeed, Father O'Brien sometimes suggests. That would be a colossal mistake; and the true explanation of the appointment of Catholic chaplains to Australia, paid by the English Government, has nothing whatever to do with Father O'Flynn, and is given by the author of these volumes when he talks of the radical politicians of the opening nineteenth century, and of the writings of men like Jeremy Bentham. The more one thinks about it, the more one feels that Father O'Flynn was really an accident in the Dawn; and an unfortunate accident too, who did not hasten the recognition of the Catholic rights if he did not actually retard that recognition. We say this merely to counteract what we would regard as a possible misconception by readers of the volumes of Father O'Brien; a misconception which would be a great pity if it were shared in by even a percentage of such a large body of readers as we hope this enthusiastic history to have.

The Australian Book Co., 16 Farrington Avenue, London, E.C.4, are Agents for the sale of this book.

J. F. O'D,

THE LIFE OF CARDINAL MERCIER. By Henry Louis Dubly. Translated by Herbert Wilson. London: Sands & Co., 1928. Price 7s. 6d. net.

To many Cardinal Mercier is known as the hero of the Great European War. When the German forces were let loose on Belgium, when town and fortress fell before their serried onslaughts, and village and countryside were filled with their victorious troops, when King Albert and the Belgian Army were swept by superior numbers out of their native land, the one man to oppose the invader was Cardinal Mercier. During the four years of occupation he stood undaunted, with head unbowed, before Von Bissing and Von Falkenhause. He stood alone between his people and the enemy. By word and example he kept Flemings and Walloons united, he made vocal their patriotism, vindicated their rights and asserted the confidence of a down-trodden nation in the ultimate victory of eternal wisdom, and human reason over primitive violence. The unconquerable spirit of the man shone forth in those great Pastorals: 'Patriotism

and Endurance'; 'A Call to Prayer'; 'On Our Return from Rome'; 'The Voice of God'; '*Courage, mes Frères.*' The soul of a hero flashed through the darkness of a war-weary world, and won the admiration of his friends. Even the enemy could not withhold their meed of appreciation, and on the eve of the departure of the Occupying Army, Baron Von der Laenken, in the name of the Governor-General and the Government in Berlin, handed a declaration to the Cardinal, in which he writes: 'You are to us the incarnation of Occupied Belgium, and are her venerated Pastor to whom she hearkens. And, therefore, it is to you that Monsieur le Gouverneur-Général and my Government have charged me to come . . . As this announcement must rejoice your heart, I am happy to be the bearer of it, all the more so because I have not lived for four years among the Belgians without learning to esteem them, and to appreciate their patriotism at its true value' (page 230).

To others he is known by his later efforts in the Malines Conferences, the meetings in which were discussed the possibilities of the re-union of the Church of England with Rome. Some consider these Conferences the first sign-posts on the road leading Great Britain back to Catholic unity. Others are of opinion that they were not only fruitless but indiscreet. But until all the circumstances are known, and all the documents published, no one is in a position to judge. It is doubtful if we shall ever know the full story; many of the principals, the Abbé Portal, Monsignor Battifol, and Cardinal Mercier, are gone to their reward. The re-union of Christian Churches was a long-cherished ideal of the Cardinal, and he himself, at all events, looked forward to good results from the Conferences. Lord Halifax appeared on the Anglican side, and it is interesting to learn what impression the Cardinal made on the Protestant English Lord; 'It was indeed a blessing,' Lord Halifax wrote recently, 'to have seen and been brought into contact with such a personality, such a life, and to have been taught the lesson of what constitutes the real strength and value of human life here below, what can alone give real and permanent success to all human effort.' In fact everyone that came to know Cardinal Mercier felt the magnetism of his personality.

If we would understand the structure of that varied personality we should not limit ourselves to a study of his later years; if we would form a just estimate of the proportions of his mind, and of the strength of his character, and of the charm of his manner, we must begin with his early life. It has been said that when one desires to make a study of a celebrated man, one must take him, not at the finish of his career, when everyone thinks like him, but at the beginning, when his thought was not that of everybody.

Three years after his ordination, which took place in 1874, when he was twenty-three years of age, Mercier was appointed to teach Philosophy in the Petit Séminaire at Malines. He was a born teacher, and possessed from nature all those qualities which make for success. Even at this early age he had a clear vision of the remedy for the evils that threatened to sap the intellectual life of Catholicity, for he made Scholastic Philosophy

the foundation of his teaching. A new epoch for Scholastic Philosophy was inaugurated when Pope Leo XIII, in 1882, gave his approval to the appointment of Canon Mercier to the Chair of Thomistic Philosophy, recently established at the University of Louvain. The new professor soon made his influence felt in the University life; he taught, he wrote, he organized. The enthusiasm, brilliancy and originality of his lectures drew the leading students of the different faculties to join the course of Philosophy. Besides numerous important articles to the reviews, he wrote treatises on Psychology, Logic, Criteriology and General Metaphysics. But his most important work was the choosing and training of collaborators to assist him in his scheme, and to continue it when he would be gone: Fontaine, Nys, De Wulf, Deploige and Thiery, owe their formation to Mercier. The School of St. Thomas and its founder, met, of course, with contradictions; but opposition only brought out his greatness. The hour of triumph for the new Institute of Neo-Scholasticism and for its creator came when Pius X raised the Louvain professor to the Primacy of Belgium in 1906. In the following year he was made Cardinal.

As Archbishop of Malines Cardinal Mercier showed that he was an able administrator and prudent law-giver. He had an extraordinary capacity and facility for work. In an enormous diocese, possessing a population of over two and a quarter million subjects and more than two thousand priests, he was intimate with all the details of administration. He held audiences two days each week; he met visitors of every station in life, and of all shades of opinion. He devoted hours each day to study, and wrote on theology, asceticism, philosophy, social problems, and all the important questions that stirred the intellectual and religious world of the time. He interested himself in the Liturgy and Sacred Chant.

In the midst of his many labours he preserved an unruffled serenity of spirit; he never acted hastily, and all his decisions were characterized by prudence. He never allowed his feelings to deflect him from the path of justice; his Pastoral Letter, *Espérons quand même*, won for him the glorious appellation of *Le Grand Juste* from the pen of Charles Maurras. He had an amiable disposition, and possessed in an exceptional degree the power of attracting people. His restrained elegance of manners, his wide and accurate knowledge, his flexible way of speaking, made a deep impression on all. But we must go deeper if we would discover the ultimate cause of his influence—it was in his ever present submission to the Divine Will. His life was an eminently priestly one, in fact he lived the life of a saint. The priestly duty of directing others in the interior life made a special appeal to him. In the Louvain University the young students of Law, Literature, and Medicine, had such confidence in him and found him so responsive to their difficulties that they named him *Le Grand Sympathique*. It was for his brother-priests, however, that he reserved the richest treasures of his spiritual experiences. During his life their spiritual welfare was one of his chief concerns, and on his death-bed, when he saw ‘all human hope fading away,’ he sent them this

final exhortation: 'I must make you have a share in this grace which God was granting to me, by asking you, in these which are, perhaps, the last hours of my life, always to celebrate the Holy Liturgy of the Mass as though you were on Calvary, bringing to it all the fervour of faith and devotion of which you are capable' (page 261).

The State funeral accorded to the dead Cardinal in Brussels was a testimony to his greatness in the religious and national life of the country. In his death Belgium bewailed the loss of a great citizen, and the Church a great Bishop. 'Death will not silence his voice,' writes Henry Louis Dubly, 'nor efface his image; a pure splendour, exempt from the contingencies of chance, is already rising from his tomb. Happy are they who lived in the growing light! He placed the seal of his greatness on the many manifestations of his activity, and over-topped the bulk of his contemporaries. He had the intuitions of genius, and was able to impose them on others by a surprising force of will. His authority was uncontested. Future history will proclaim him as the grandest figure of our day, and one of the most heroic of all times' (page 271).

D. M.

STORIES FROM POLISH HISTORY. By Monica Gardner. London: Sheed and Ward. Pp. 175. Price 3s. 6d.

POLAND has been in the foreground of the picture rather a good deal of late and under no flattering colours. Whatever be the rights and wrongs in the case, instinctive sympathy has been on the side of the weaker Lithuanians in their protest against Pilsudski's *putsch* into Vilna, and so admirers of the martyr nation prefer to turn their eyes to the past than to look steadily at the present. And Poland's past has been tragically glorious—saving others and perishing itself, always beaten yet never conquered, the Ireland of North-eastern Europe in faith, in political history and consequent kinship of sympathy, until it rose out of the ruin of its enemies after the Great War.

The present volume is not so much a history as a series of pen-pictures of the leading events in Polish history. Their merit is not in the facts they convey, but the way they convey them. With facile pen each is decked forth with dramatic effect and circled with the halo of romance: the breath of life is breathed into the dry bones of the hero long dead, and we live the events all over again as we pass over the pages with him. Truth cannot suffer from such a presentation of history. It is an asset to the student, too, for he has a hero to mould his life to for highest civic action. It is an asset in another way that we in this country have been little familiar with; it makes history fascinating, and so lessens the mental drudgery of the student. There are fourteen 'Stories' in all. The first goes back to the ages where facts are submerged in legend, and 'the "Poles" lived in woods and by the side of singing streamlets, and worshipped the gods that ruled the storms and the forest.' Down the ages, through tales of love and chivalry and faith,

we are brought. A long picture—and he deserves it—is given to John Sobieski, who broke the Ottoman invasion at Vienna. Then the harrowing scenes that led up to and accompanied the dismemberment of the kingdom among Russia, Prussia and Austria, from 1764 onward, are vividly set before us, relieved only by the story of the immortal Kosciusko. Finally, the rebellions of 1830 and 1863 against the Russians are described, when the Poles, chanting their hymn, ‘God Who through the ages,’ and armed only with spear or scythe and cast off blunderbusses, defied their conquerors, and died defiant. Appropriately the last chapter is entitled ‘The Road to Resurrection after 1918.’

We heartily recommend the book to all who wish to catch the glamour of a noble people triumphant over adversity.

C. L.

DURANDUS DE S. PORCIANO, O.P. Dr. Joseph Koch. Münster :
Aschendorff, 1927.

As Pascal and many other eminent men, Durandus was a native of Auvergne. The date of his birth is not known; but apparently it falls within the period, 1270-1275. From 1303 to 1306 Scotus and he studied in Paris. At the same time Hervaeus Natalis, Henry of Ghent, James of Metz, and other distinguished men were members of the University. In 1305 a disputation about the principle of individuation took place between Durandus and Scotus. Durandus, though on other subjects his anti-Thomist tendencies were known, was made a Master of Theology in 1312, and in the following year he became *Lector S. Palatii* or Papal theologian. This office he held till 1317, when he was consecrated Bishop of Limoux; in 1318 he was translated to Le Puy, and in 1326 to Meaux, where he lived till 1334. Such in outline is the chronology of his life.

Students of scholastic philosophy and theology are well aware that among the earliest and most determined adversaries of the Angelic Doctor was this brother of his in religion. In fact it is to this opposition that Durandus owes his celebrity. He made no secret of it, and when the ‘Doctor resolutissimus,’ as he is called, said that reason was above the authority—*ejuscumque doctoris quantumcumque celebris vel solemnis*—he had St. Thomas in mind. There is no doubt regarding the baneful influence he sometimes exercised, for writings of his gave occasion to Nominalism. But though he held a prominent place among medieval thinkers, up to the present time, for information about the personality and the teaching of Durandus, students had to be content with the brief accounts contained in manuals. Now they get a complete and accurate description of his life and works, and they will soon get an equally good analysis of his important but complicated system. Since the publication of his learned essays in the *Miscellanea* (1914) and the *Xenia Thomistica* (1925), Dr. Koch has devoted himself with such industry to the study of everything bearing on Durandus, that, seemingly, his monograph will leave little or nothing to be done by anyone else. Among the

twenty-six volumes of the ' *Beiträge zur Geschichte der Philosophie des Mittelalters* ' (*Contributions towards the History of Medieval Philosophy*), it will be one of the very best. The first instalment, or the part now published, contains a most interesting biography, and a critical study of all the known MSS. Dr. Koch's knowledge of them comes as a surprise to the ordinary reader. He quotes in full the passages which show exactly the mind of Durandus on the subtle questions—philosophical and theological—that were so much discussed in his day. This part treats also of the numerous opponents of Durandus: Hervaeus Natalis, Petrus de Palude, Jacobus de Lausanna, Joannes de Neapoli, and several others. Their teaching, for the most part, found only in MSS., is given in their own words. Dr. Koch appears to have searched all the archives and libraries of Europe. So this part presents to students all the historical surroundings, and all the texts, on which the examination of systems to be made in the second part will proceed. This instalment contains all the materials for a study of philosophy and theology in the beginning of the fourteenth century, the next one will contain the study itself.

R. W.

SUMMA ST. THOMAE.—The third volume of the pocket edition by P. Pègues has appeared. It contains the first part of the 2a, 2a. With it may be mentioned the excellent French translation by P. Benoit Lavaud, O.P., of the *Isagoge ad Theologiam D. Thomae*, by John of St. Thomas. As is well known, he was one of the greatest Thomists, equal to Cajetan in some respects, and better than him in others. Taking the Angelic Doctor's masterpiece as an organic whole, this faithful interpreter showed its internal arrangement, as few others could have done. Professors and students will find the little book, *Jean de St. Thomas. Introduction a la Théologie de St. Thomas* (A. Blot, Paris), very useful.

R. W.

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THE BOOK OF O DONNELL'S DAUGHTER

BY REV. PAUL WALSH, M.A.

I

IN our libraries a few specimens of manuscript still remain which were transcribed for and owned by Irish ladies. The first section of the great folio numbered 24 P·25, in the Royal Irish Academy's collection, was written for Mary, daughter of Eoghan O Maille,¹ and wife of Ruaidhri Mac Suibhne,² chief of Fanad. It was put together in 1513-4 by a scribe named Ciothruadh Mag Fhionnghaill,³ and contains one hundred and twenty-four pages of literature of a religious character, for which reason it was styled by a later scribe 'a book of piety'—*leabhar diadhacht*. A generation later a manuscript of Irish Lives of Saints was copied for the sister of Maghnus O Domhnaill named Rose, who was the wife of Niall Og Neill of the Old Castle, not far from the present Newtown Stewart. This transcript was used by Michael O Cleirigh⁴ nearly a hundred years afterwards. After the Flight of the Earls another lady of the house of O Donnell had a paper transcript of the *Life of Columcille* made by a copyist named Brian Mac Niallghus, or Brian Mac Nelis. This lady was also

¹ 1513. Eoghan O Maille was slain this year in Tir Boghaine, with the crews of three ships—*Annals of Loch Cé*.

² Ruaidhri Mac Suibhne, son of Maolmhuire, was chief of Fanad for forty-six years, 1472-1518.

³ He was a native of Tory. Page 102 has the following scribal entry: *me fecit in fer o Toraigh do graif*. His name occurs elsewhere in the manuscript. Among followers of Rury O Donnell pardoned in 1603 were Owen M'Gennyle and Shane M'Gennyle, *Fiant of Elizabeth*, no. 6761, p. 121.

⁴ Witness his note: *as an leabur no scriobh Siograidh Ua Maelconaire do Roisi ingin Aodha Duibh . . . I Domhnaill ben Neill Oicc . . . I Neill i mbaile ann tSencaislein do lettaoibh Sleibhe Truim . Aois Crist . . . 1536*, Brussels manuscript 4190, f. 263, cited in Plummer, *Colophons and Marginalia*, p. 8.

named Rose.¹ She was the daughter of Conn O Donnell, sister of Niall Garbh, and wife of Tuathal O Gallagher.² The manuscript with which the following pages are concerned was also the property of an O Donnell lady. On its cover, and in the inside of the volume, is inscribed the title **LEABHAR INGHINE I DHOMHNAILL**—‘The Book of O Donnell’s Daughter.’ In order to discover who this daughter was it will be necessary first to glance briefly at the contents of the earliest section of the book, and, secondly, to enumerate, as far as we know them, the female members of the family of Aodh, son of Maghnus O Domhnaill.

The manuscript is preserved in the *Bibliothèque Royale* in Brussels, where it is numbered 6131 x 6133. It is bound in the original covers, and the leaves measure 10¼ x 8 inches. The number of folios is 153; but only somewhat more than half of them are written upon. This circumstance, as well

¹ The manuscript is in Merchants’ Quay. Here are the words of the scribe, after stating that he worked in 1608, and transcribed from an exemplar in the hand of Giolla Riabhaeh Mor O Cleirigh: ‘Dear brethren, pray for my sake, and for the sake of each one who lent favour to this undertaking; and particularly for the soul of the noble lady who promised to me, as I commenced this Life, not only that she would cause me no inconvenience, but that she would assist me to the best of her ability; and for five marks I would not tell that she was Rose Og Ni Dhomhnaill.’ For the original Irish, see *Studies*, June, 1929.

² I have the following references to her: ‘Twohell m’Owen O Galcowe, Rose ny Con ny Donell,’ *Fiant of Elizabeth*, no. 6761, p. 120, Feb. 26, 1603; ‘Rose, Neale Garve’s sister,’ *Calendar of State Papers*, 1602, p. 374; ‘Toel mc O Degan . . . has been with O Neale this month trying to make conditions of peace between Neal Garve and him; one suggestion was that O Neale should give him full recompense for all such things as he should leave amongst us; Roze, Neale’s sister and Mc O Degan’s wife, has constantly been the intermediary between the parties, and for certain an agreement was between Neale and O Donnell when O Donnell went the Munster journey,’ *Ibid*, 376; ‘he—Niall Garbh—got leave for his sister Rose to go into Ballyshannon to spy what they did there; an Irishman whom she did not suspect was sent with her; when talking there with her husband Toole Mc O Degan she said that her brother would not stay among the English, for he could not abide their government.’—*Ibid*. 538. Tuathal O Gallagher was pardoned in 1586 under the name of Tuahill M’Adegany, *Fiant of Eliz.*, no. 4914. He was one of O Donnell’s lieutenants at the Curliou Mountains, August 15, 1599. He subsequently defended the castle of Ballyshannon in 1602, and he is mentioned by the Four Masters under the next year. See O Sullivan, *Historia Catholica*, tom. iii. lib. v. cap. 10; lib. vi. cap. 11. Tuathal’s father, Eoghan O Gallagher, Dean of Raphoe, died in 1580 on October 22, according to the Four Masters.

as the fact that several different hands appear in the volume, shows that the book was kept for the purpose of inserting in it poems or other matter of particular interest to its owner or the owner's family, according as the pieces were composed or copies of them recovered. There is no evidence to show that any part of it was written in Ireland, and the probabilities are that the whole collection was made from time to time in Flanders. The date of the first and earliest scribe is the first matter we have to consider.

The opening section of the manuscript extends to folio 20, and is all in the same hand save one poem, and some minor items. The first entry is a long composition on the death of Aodh Ruadh O Domhnaill, which took place in 1602. There are also several poems addressed to his brother, Rudhraighe, and pieces written for the father of both, and for other remote kinsmen. But the latest in this hand is the poem composed by Fearghal Og Mac an Bhaird on the deaths of the four brothers Maghnus, Aodh Ruadh, Rudhraighe, and Cathbarr, and the exile in Rome of their sister Nuala.¹ The last of the brothers died in 1608. Nuala remained for some time in Italy after that event, and then returned to Flanders. The poem in question—*Truagh liom Maire agas Mairghreg*—was composed before this return to Louvain. There can be little doubt that Nuala then brought the little son of the Earl of Tyrconnell to that city to have him educated by the Irish Franciscans there. The lines² relating to her exile in Italy run as follows:—

San Eadáill na neas dtana—
ionand is ég Nualadha—
atá géis chnómhoighe Cuinn
cróloighe dhá héis oruinn.

Nualaidh dhuaislónmhar dóigh cáich
marífidh go laithe an luanbhráith
tosach garma chrú gCriomhthain
clú a hanma idir Éiriondechaibh.

¹ *Nuala*, of which a variant is *Nualaidh*, is short for *Fionnghuala*, 'fair or white shoulder.'

² The complete poem may be read in *Gleanings from Irish Manuscripts*, p. 108, and in the *Catholic Bulletin*, June, 1928. In the latter place I made the wrong assumption that when the piece was written Nuala was actually dead.

In Italy of the narrow waterfalls
('tis equivalent to Nuala's death)
is the swan of Conn's nut-plain—
grief lies on us after her.

Nuala the bountiful, hope of all ;
until the Judgment Day shall live
among Irishmen the fame of her,
foremost choice of the race of Criomhthan.

The date of Nuala's return to Louvain can be determined from other sources. She is mentioned, as living there, in a letter written by the English Ambassador to the Flemish Court just before the holding of the Irish Parliament of 1613-15. The letter ¹ was addressed to James I, and speaks of 'the future Parliament shortly to be holden.' As we shall have to refer to this document at a later stage, it is better to have the relevant portion of it before us here :—

The lady Nuala, sister to O Donel that died in Rome, and now tutress to the late Earl of Tyrconnel's son, living at Louvain, took occasion the last week to pass through this town, under colour of going a pilgrimage to our Lady of Hal, and late in the evening sent, as secretly as she could, to request me to come to her lodging, not daring, as she pretended, to come to mine, and speak with her about some business concerning your Majesty's service.

I forthwith proceeded to her to know her pleasure. She first began by some vows and protestations of duty and obedienee to your Majesty ; and afterwards conjuring me to be secret in what she should reveal, told me she could not in any other matter do your Majesty so much service as in the withdrawing the said young gentleman from hence, wherein she would use mine assistance.

I answered that I had no commission to deal in affairs of that nature, neither durst I undertake them without your Majesty's special order and commandment on that behalf ; but I promised her contentment to acquaint your Majesty so soon as I could with the overture she made unto me concerning her kinsman, and thereupon attend your Majesty's gracious pleasure, and acquaint her with the answer your Majesty should vouchsafe to make me thereupon.

The principal points she did then urge was your Majesty's grace and pardon for the said gentleman, together with the restoring of his father's lands.

I told her that, considering the grievousness of his father's ingratitude

¹ It has been printed, without the exact date, by Father Meehan, *Fate and Fortunes of the Earls of Tyrone and Tyrconnell*, third edition, 1886, p. 328.

and offences against your Majesty were such as the world did know them to be, that the son could not in reason expect any such favour at your Majesty's hands. But if she did intend to do any good for the young gentleman, she should only demand his pardon, and leave to go to England, and refer the rest to your Majesty's accustomed bounty and clemency.

She prayed me to present her suit to your Majesty, and therein to do all the good offices I might; whereunto I did yield; and so we parted.

I suppose—and want not grounds of my supposition—that if it may stand with your Majesty's good liking to call home the aforesaid young gentleman, that it may be done upon indifferent terms, and would much traverse the plotting of Tyrone, and enfeeble his reputation.

Until the State Papers relating to Flanders have been calendared or published we cannot expect to learn the subsequent history of this petition on behalf of the Earl of Tyrconnell's son, or that of the lady, his aunt, who preferred it. We do not know when exactly she died. All that has hitherto been discovered about her is the fact that she was buried in the chapel of the Franciscans at Louvain. The foundation stone of that building was laid on May 9, 1617.¹

On the Irish side we have an interesting piece of evidence of the coming of Nuala and her youthful charge—not yet more than seven—to settle in Louvain. The short poem² on Tyrconnell's son's arrival runs as follows in our manuscript:—

ECCCHAN RUADH . CC.

Ionmhuin sgríbhíonn sgaoilter sonn
mór mbeadhgadh³ do bhean asom
saor a Dhé ar aithleónadh inn
aithbheódhadh é dom inntinn.

Da mairdís a ffaea féin
duaislibh Gaidheal guirt ríghNéill
do bheith fáth faoilte don dreim
a ttráth sgaoilte don⁴ sgríbhéinn.

¹ Brendan Jennings, O.F.M., *The Irish Franciscan College of St. Anthony at Louvain*, p. 8.

² The first edition of this piece was printed by Eleanor Knott, *Irish Syllabic Poetry*, 1928, p. 26, from the Dublin manuscript 3 C 13. The text here has a few better readings, but is generally inferior to the other copy, which I refer to as C.

³ sic C; an beadhgadh Br, unmetrical.

⁴ sic C; na Br.

An naoidhe¹ táinice tar tuinn
 bíodh nach beith² na Ua Domhnaill
 díol é gach muirne da mhét
 go mbé ar eCoimdhe ag a choimhét.³

Aodh O Domhnuill ga ttám do
 gan daois sunn acht seacht mbliadhno
 damhna mo ríogh robháidh linn
 sgoláir rod sgríobh in sgríbhinn.⁴

IONMHIUN SGRIBHINN & ríqua.

Beloved is the letter opened here,
 many a thrill it awoke in me :
 it is a revival unto my soul—
 save us, O God, from another hurt.

If all that I myself have seen
 of Gaelic nobles in Niall's Field did live,
 they would have a cause of joy
 at the time of the letter's opening.

The child that came across the wave,⁵
 even were he not O Domhnaill,⁶
 is worthy of the greatest love—
 may the God of us guard him !

Aodh O Domhnaill—in one word—
 is here, but seven⁷ years old :
makings of my King, I cherish him—
 who wrote the letter was a scholar !

—Beloved is the letter—

We may now turn to one of the last pages of our manuscript. At the bottom, written up side down, is the

¹ oidheche C.

² biadh C.

³ biodh ar an gCoimdhe a choimhead C.

⁴ liom : a sgríbhíonn C. This reading retains the force of the pronoun.

⁵ Either (1) from Ireland in 1607, or (2) from Rome by sea at the date of the poem.

⁶ That is, the chief of his name. This use of the surname as the title of the inaugurated chief is found in Elizabethan English, e.g., 'O Neale is dead, and the Earl is gone to have himself called O Neale' (*State Papers*, 1595, p. 394). Of course this boy was never inaugurated, but he was called Earl of Tyrconnell on the Continent. See Report on the Franciscan Manuscripts *passim*, Meehan, *The Irish Hierarchy*, p. 371, etc.

⁷ Rudhraighe O Domhnaill, Earl of Tyrconnell, married Brighid, daughter of the Earl of Kildare, not long after his investiture in September, 1603. Some authorities say they had three children, some only two. The youngest, a girl named Mary Stuart, was born after the Flight of the Earls. Another is referred to in the following notice in the *State Papers*, September 13, 1606 : 'Soon after the Earl of Tyrconnell comes to these parts, whom we expect,

following: *Tadhg O Cleirigh do sgríobh no Tadhg O Duibh-
eanaigh*—'Teigue O Clery wrote, or Teigue O Devanny.'
This is not a signature. The alternative shows that it
represents the view of some person as to who one writer
in the volume may have been.

On the inside of the back cover a passport is entered
in these terms:—

wher as the berear hereof Tig Odoueny hase certain
ottations to trauell vnto Irland and hause dissirt
my passeport for the space of one qurter of an yeare
these are therfore to will and reque you and eury
of you to suffer the said Tig to pass to and froe
withouth aney lest¹ stay or molestations
eyder in body or goode hee by hauing
as by commes a dattfull supreadgt² gauen ut
brussell the xiii day of september

1622

To all meanells
mayears
constable
and all others
whath soeuer
it may conserne

To all menalles mayres
costabells and all
others whrehsouer it
may consernes

GENGES CALLES.

Here we are provided with a date, September 13, 1622.

because his lady is great with child and lies at Maynooth with the old
Countess of Kildare, and looks to be brought to bed within fourteen days.'
—*Calendar*, 571. This child must have been the only boy born of the marriage,
for Father Meehan says he wanted three weeks of being one year old when he
was embarked at Lough Swilly in September, 1607. This view is con-
firmed by the Lord Deputy's report to the Privy Council in England, made
within one week after the departure of the Earls, which speaks of 'Tyrconnell's
son as 'an infant not yet of one year of age.' Father Meehan, *Fate and
Fortunes*, etc., 156, says on the authority of Sir Bernard Burke, that there
was another child—a daughter named Elizabeth—who would have been the
eldest of the three. The only boy was our Aodh, who, according to the
writer of the State Paper above quoted, would have been born about October,
1606, and consequently seven years of age in 1613. See the text above. As
it has been often stated that he died very young, it may be well to give the
evidence on the point. A letter of September 21, 1642, states that 'Conn
O'Neill's wife said she was at the funeral (of Tyrconnell),' Franciscan Manu-
scripts Report, 196. Again, Rosa O'Dogherty's well-known letter of September
16, 1642, says: *do chualabhair dar ndoigh bas iarla Tíre Conaill*—'you have,
of course, heard of the death of the Earl of Tyrconnell.'

¹ Read 'lett.'

² This is intended for 'he behaving as becomes a thankful subject.'

The passport is either an original or a copy. If it be the former, the first section (at least) of the writing was most likely executed before or in 1622, as it is highly improbable that such an entry would have been made in a book otherwise vacant. The practice of inserting short extraneous documents in written manuscripts is as old as our oldest literary monuments. If the document be a copy, the earliest written portion of the texts may be later than 1622.

Folio 148 contains a list of first lines of all the poems in the manuscript as far as folio 43. In nearly every case the compiler of the list gives the name of the author of the poem, and in many instances he adds a date. The latest date he suggests is 1637. Further, the last piece which he mentions is an elegy on Eoghan Ruadh O'Neill. Eoghan Ruadh died in 1649. Possibly, a still later poem is one addressed to Aodh Buidhe, son of Calvagh O'Donnell. These portions of the manuscript are not to be placed in point of date earlier than the middle of the seventeenth century.

The chieftain Aodh, son of Maghnus O'Domhnaill, had children before he married Fionnghuala or Inghean Dubh, daughter of James Mac Domhnaill of Isla. One of them, Domhnaill, was made sheriff of the county of Donegal by the English, and was slain at the instigation of his step-mother on September 14, 1590. Among the chief's daughters it is not easy to distinguish who were the children of an earlier alliance, and who were born after 1569, when Aodh and Fionnghuala were married. Nor is it easy to make out a satisfactory list of the whole family of sons and daughters. Of the latter the following are referred to in Irish or English sources, sometimes in both.

(1) Siobhán, Johanna, Johan or Joan. This lady married the Baron of Dungannon, who afterwards became Earl of Tyrone, in the year 1574. The marriage was announced by Essex writing to the Earl of Leicester and others on June 14.¹ Siobhan was the mother of O'Neill's sons Aodh, who died September 23, 1609, and Enri, who

¹ See O'Grady, *Catalogue of Irish Manuscripts*, 372, and *Calendar of State Papers* under date.

died before the publication of Philip O Sullivan's *Historia Catholica* in 1621.¹ She was likely also the mother of some of his many daughters. She died before January 31, 1591, when Tyrone himself informed Burghley of the death of his Countess.²

(2) Nuala, Nualaidh or Fionnghuala, Nola or Fynnola. This daughter of O Domhnaill was married to Niall Garbh, her first cousin once removed, before the submission of the latter to Aodh Ruadh in 1592. Describing that event Lughaidh O Cleirigh says: *bo hi deirbshiur an Aodha roba bainchele dho*—'it was Aodh's sister who was Niall's wife.' The common view that the Irish words employed here necessarily imply that Nuala was a full sister of the young chieftain is erroneous. For example, we may point to the Irish annals under 1519, where Conn O Neill is described as *dearbhrathair* to his predecessor Art Og. The Loch Cé chronicler says expressly: *nir bo hinann mathair dhoibh*—'they had not the same mother.' Hence, while Nuala may have been a daughter of Inghean Dubh, that parentage cannot be proved from the description referred to.

(3) Máire, or Mary. She married Tadhg O Ruairc, son of Brian na Murtha. The latter was executed in London in 1591. The date of Mary's marriage is unknown. There is a reference to her in *Fiant of Elizabeth*, no. 6761, February 26, 1603, the opening words of which run thus:—

Pardon to Rory O Donnell of Tیرهconnell, in the province of Ulster, gent.

Caffara O Donnell.

Innyne duffe alias Finnola ny Connell.

Fynnola ny Donell.

Meive ny Donell.

Mary ny Donyll.

Here we have the two brothers who died in Rome in 1608; Inghean Dubh, or Fionnghuala, daughter of James

¹ Hill *The Macdonnells of Antrim*, 233, puts Enri's death about 1626 but O Sullivan's reference is decisive: 'ex illis in Gallia Belgica legionem conscribi iussit, quae prius sub Henrico, et post Henrici interitum, sub Johanne Onelli filiis, contra Batauos fideliter et strenue pugnauit' (tom. iii. lib. viii. cap. vi).

² *Calendar of State Papers*, 384.

Mae Domhnaill, their mother, and three sisters. Fynnola is Nuala above, wife of Niall Garbh; Meadhbh or Meive is otherwise unknown; and Mary is she with whom we are here concerned. She had first been married to Domhnall O Cathain—afterwards well known as Sir Donnell O Cahan, who finished his days in the Tower of London. After his separation from Mary he married Rose, daughter of the Earl of Tyrone, who had at the time just been separated from Aodh Ruadh O Domhnaill. The latter in turn endeavoured to conclude a second marriage, first with Margaret, daughter of the Earl of Clanricarde, and secondly, with Joan, daughter of the Earl of Desmond.¹ Finally, comes the announcement that O Cahan in 1607 put away Rose, O'Neill's daughter, and married another.² Here is a series of matrimonial puzzles which no one has ever attempted to solve—our historians either skim over them like the Irish annalists, or are seemingly unaware of their existence.

In 1611 Sir Arthur Chichester stated that Sir Tege O'Rourke's children were said to be illegitimate 'by reason of their mother's marriage with Sir Donnell O Cahane, from whom she was not divorced when Sir Tege took her and had these children by her.' The children were named Brian and Hugh. The elder was made a ward of court, was sent to the University, admitted to the Middle Temple, and ultimately imprisoned in the Tower. To the mother

¹ As to the first: 'The Earl of Clanricard's daughter sequestered to the keeping of a merchant of Galway in consequence of O'Donnell's threat to rob her from her parents by surprise or force,' Lord Deputy Russell and others to Burghley, from Mullingar, December 11, 1595; 'Ulick Burke's device to get the Earl of Clanricarde's daughter for O'Donnell, though her father would see her burial rather than her marriage to O'Donnell,' enclosure in same; 'Have prevented O'Donnell's marriage with the Lady Margaret Burke,' Lord Deputy to Burghley, same date.—*Calendar of State Papers*, 438. The attempt to secure Joan of Desmond for a marriage with O'Donnell in December, 1600, is fully reported in *Pacata Hibernia*, bk. i. ch. 18. For safety the lady was committed to the charge of an Alderman of Limerick.

² This separation is confirmed by no less an authority than Tyrone himself: 'They lived so together for the space of eight years, till that the said O Cahan was set on to withdraw himself from the said Earl; at which time he also, by the procurement of his setters on, did turn the Earl's daughter away, and kept the goods to himself, and took another to his wife.'—Meehan, *Fate and Fortunes, etc.* 127, Tyrone's declaration of grievances.

of the children a proportion of 1,600 acres was assigned for the duration of her life. She was still alive in 1631, when Viscount Gormanstown and another had a patent for the estate on the lady's death.

The Four Masters chronicle Tadhg O Ruairc's death under the year 1605. He was buried in the monastery of Drumahair. 'May God assoil him,' says Father Mooney, 'for he hated his stepbrother—Brian Og, buried at Rosserilly—the rightful prince of Breffney, and would not rest in the same sepulchre with him.' His wife presented a chalice (now preserved in the church of Butlersbridge, parish of Cavan) to the monastery in his memory. It bears a Latin inscription which may be translated as follows: 'Maire Ni Dhomhnaill, daughter of Aodh, son of Maghnus, for the soul of Tadhg O Ruairc her husband, caused me to be made for the monastery of Craobh Liath in 1619.' Craobh Liath is an *alias* for Drumahair. On these brothers the reader may consult the I. E. RECORD for June, 1922. There is a summary of the transactions in relation to their estates in Butler, *Confiscation in Irish History*, 85-7.

As our manuscript was written on the Continent, and as Mary, in view of the above history, did not live abroad, we must presume that the 'daughter' of the title bore some other name.

(4) Meadhbh, or Meive (see above). Nothing is known of this lady, unless she is to be identified with the following: 'Turloughe Lynagh hath practised a marriage between O Donnell's daughter and his son, and they two and Surli Boie sworn to assemble all their forces against the next moonlight, although since that oath the Marshal hath by good policy dealt with O Donnell and deferred the matter.'—Lord Justice Pelham to the Queen, November 23, 1579.¹ Turlough Lynagh O Neill had at least three sons: (a) Henry, slain in 1578, by the son of O Gallagher.² He is out of question by reason of the date. (b) Sir Arthur O Neill, who died in the camp of Sir Henry Docwra in 1600.

¹ *Calendar of the Carew Papers*, 172.

² *Annals of Loch Cé*.

His wife was a sister of Sir Hugh Maguire. (c) Cormac. His wife was Evlin ny Cahan.¹ So that at the date of the Fiant in which Meadhbh is mentioned she was not the wife of any of these sons of Turlough Lynagh. It is, however, unlikely that she was unmarried, though there is no hint as to her husband in the document.

(5) Mairghréag, or Margaret. We learn of this daughter of Aodh, son of Maghnus, from Fearghal Og's elegy on the four brothers referred to already :—

A geeithre dearbhhráithre ar ndol
Máire is Mairghréag mhúir Chruachan
cosg ag dol do shíor ar shuan
a geor fa-ríor is rothruagh.

Mary and Margaret of Cruacha's rampart—
since their four brothers have died,
their sleep hath ever been disordered,
alas! sad is their condition.

I know of no other reference to her except an indirect one in the obituary notice inserted in a fly-leaf in the Four Masters' '*Martyrology of Donegal*' : *ob. D. . . et sepultus Lovanii ad cornu Evangelii secus summum nostrae ecclesiae altare, ubi ante pedes sunt corpora Nolae et Margaritae et Hugonis Odonnellorum.* In the absence of further information we must be grateful for the note that this lady and her sister Nuala were buried in the church of the Franciscans at Louvain near the high altar, where also rest Aodh, son of Cathbharr O Domhnaill, and that youth's mother Rosa ny Docharty, wife (secondly) to Eoghan Ruadh O Neill, and grand-daughter on her mother's side to the great Sean O Neill.

So far as we can judge at present it is only to Nuala or Margaret that the title '*Book of O Donnell's Daughter*' can refer. As Nuala is mentioned in it several times, whereas Margaret's name appears in it only once, it is likely that the first was the owner of it at some time. But what appears to be the earliest entry of the title—that on the top of the front cover on the outside—is in the hand which

¹ *Fiant of Elizabeth*, no. 6489.

we have seen above cannot have been at work earlier than 1650. So the precise meaning of the inscription depends on the circumstance whether either of the sisters was dead at the moment when that man wrote.

I shall here collect such of the writings and scribblings about the covers of the manuscript as I can make out. Some of these minute jottings are barely legible.

Front cover recto :—

- (a) Leabhor inghine i¹ Dhomhnaill
Liber poematum O Donelli
- (b) Leabhar ínghine í Dhomhnaill
Liber poematum o D(on)ellij
- (c) Leabhar Ínghine Í dhomhnaill
Lr Poematum o donellij

Front cover verso :—

- (d) Ihs Maria Tiege dom d mine possess(or)
- (e) Iesus cia an tairic^{chus} ar nemain breg
- (f) Cionnus ticc eire gan aodh²
- (g) Damadh misi an sgolaidhi
gurbam treabhar toghaidhe
ni thiubhrainn mnaoi shuim no duim
gursam diolta dfoghlaime
Da madh meisi an scolaidhi
- (h) Deus
- (i) Mo bhia sa chugat
- (j) Dfhios an fo an pend no an drocch³
- (k) Mada
- (l) Madamoyselle
- (m) Madama
- (n) deus meus
- (o) Tig⁴ . . .

¹ This letter has to be read with eyes of faith, but the space for it is ample.

² This and the end of the preceding line are the initial lines of poems.

³ *Probatio pennae*—'to try whether the pen is good or bad.'

⁴ For this 'Tiege' and 'Tig' see the passport above, and the Irish note preceding:

Folio 152 recto :—

(p)

JOHNE YNELL¹

I.R.

Sorle me donnell²
 Captin of Musskedtre
 the best of the Irish
 wither the will or nott
 withness my hand
 John me donell

and so etc Eallrind
 till deth —————

Memorand : that S B

JOHN YNEILL

(q) Beannacht

(r) Colleg Tadhg O Cleirigh³ do sgríob no Tadhg
 O Duibheanaigh.

Back cover recto :—

(s) Leabhor Inghine í domhnaill

(t) Sa bhrot sin nir coir do chur
 acht dealg dfionndruine uasal
 no dealg iongantach dór cherd
 a Mhór bionnfhoclach belderec

Besides what has been already printed above these are the only items of importance on this last page of the book. The stanza just transcribed is one from a short poem by a writer of unknown date who was killed in Ireland, whither he had come on a bardic expedition from Scotland. His name was Fearchar O Maoilchiarain. The complete poem, which is on a brooch of blackthorn worn in a lady's breast, may be read in O Rahilly's *Danta Gradha*, 2nd ed., 18.

¹ This is John O'Neill, son of the Earl of Tyrone, Colonel of the I(rish) R(egiment) in Flanders after the death of his brother Henry.

² For Captain Sorley MacDonnell, see the I. E. RECORD, October and December, 1927. Note that 'Eallrind' is an anagram for 'Ireland.'

³ It would be interesting if this should be a reference to Michael O Cleirigh, whose name before he became a friar was Tadhg. Observe the word 'Colleg(ium)' some distance to the left of the Irish note.

Four-fifths of it have been versified gracefully by Dr. Robin Flower thus ¹ :—

THE BLACKTHORN BROOCH

No rustic blackthorn brooch should rest
Above the shining of that breast,
Were there, O red lips of sweet sound,
But one gold brooch all Eire round.

Of fiondrúine it should be made
The brooch that ties thy lovely plaid
Or marvellous pin of smithied gold,
Sweet singer! in thy mantle's fold.²

Thy cheek's pale amber claims as right
A fair pin in thy mantle bright
Of golden or of silvery hue,
O thou most loyal heart and true.

Blood of my heart! I'd see no pin
That many-coloured mantle in,
O mistress of all hearts! but such
As showed the mastersmith's own touch.

So much by way of preface to the contents of this manuscript.³ On a subsequent occasion we shall give a description of some of the pieces written by the first hand therein.

PAUL WALSH.

¹ Love's Bitter-Sweet: *Translations from the Irish Poets of the Sixteenth and Seventeenth Centuries*, Dublin, 1925.

² The original of this stanza is transcribed above.

³ The photographs from which I have drawn the above particulars were executed in Brussels under the direction of Rev. Paul Grosjean, S.J., of the Société des Bollandistes. I desire to record my sincere thanks to him here for the trouble he has taken on my behalf.

THE STATES OF THE CHURCH

BY REV. JOHN F. O'DOHERTY, D.D.

II—FROM PEPIN TO POPE INNOCENT IV

THE donation of Pepin was the instrument by which the Popes were constituted in fact¹ the sovereign rulers of an Italian territory, in which 'their noblest title' to reign was 'the free choice of a people whom they had redeemed from slavery.' That Papal territory embraced, as its principal parts, the Duchy of Rome, the territory around Ravenna (the 'Exarchate') and the Pentapolis.² In this area, the authority of the Popes was guaranteed anew by Charlemagne, who, as successor to the throne of Pepin, and inheritor of the obligations attaching to the title of Patrician of the Romans, had, like his father, to come to Italy to protect the Pope against Lombard aggression, organized this time by Didier (Desiderius), the last Lombard king.

The history of the States of the Church during the centuries which followed is a difficult maze, in which one might very easily lose one's way. It would be found to resolve itself, in great part, into the history of every Pope who sat on the throne of St. Peter long enough to get involved in the politics of his royal position, and the history of every Emperor who had time to extend his view beyond the bounds of his own kingdom. A very wearisome record it would be; and perhaps, it would be as useful here to

¹ I have said the Popes were sovereign rulers *in fact*. I am not quite clear about the position *in law* during the period between the Donation of Pepin and the coronation of Charlemagne. Before Pepin, the Popes were the subjects of the Emperor living at Byzantium; after A.D. 800 they were the local rulers of a part of the Empire whose ultimate sovereign was, of course, the Emperor Charlemagne. But in the interval I do not know if the Byzantine supremacy, which certainly did not subsist in fact, did, nevertheless, continue to be the legal position.

² See Map, p. 587 *infra*.

proceed on a different plan, and try to see the story of the vicissitudes of the Papal territory in a few sketches which the reader can afterwards use as his guide through that more involved history of the continuous succession of events. At any rate, it is worth while making the attempt.

The Pope was an independent king. But men still read the description of the ideal world contained in the *De Civitate Dei* of St. Augustine, and the theory of the ideal organization of Christendom was quite opposed to the existence of a number of States, completely independent and isolated. In Viscount Bryce's interesting history of the Holy Roman Empire, perhaps the most interesting chapter is the seventh, which is entitled: 'Theory of the Mediaeval Empire.' While he suggests as a possible explanation of the restoration of the Roman Empire of the West in the Empire of Charlemagne 'the width of that monarch's conquests, the peculiar connexion which already subsisted between him and the Roman Church (i.e., his Patriciate of the Romans), his commanding personal character, or the temporary vacancy of the Byzantine throne,'¹ he finds that the explanation of the continuance of the Empire, after Charles, in the Holy Roman Empire must go deeper than any such transient facts, and found itself on the thoughts of men which demanded a World-Empire as the counterpart, on the civil side, of the world-religion which the universalism of Christianity wished and tended to be; it was no mere passion of a logician for order and organization, but the consciousness of the Christian of a new universal brotherhood of mankind (which seemed to find its expression only in a universal monarchy embracing all) that rendered the concept of a Christendom made up of States which stood isolated and independent, unrelated to any supreme overlord of all, as unacceptable to theory as would be the corresponding concept of a Catholicism in which the local government of individual Bishops would be supremely independent of a spiritual Head of the Church. The coronation of Charlemagne by Leo III in A.D. 800, and

¹ Bryce, *Holy Roman Empire*, p. 89 (5th edition).

the foundation of the Carlovingian Empire, which caught up in one governmental unit the whole civil side of Western Christendom, was the uttering of the ideal. In the Empire, a local ruler, such as the Pope had become, remained in the possession of his civil powers; at the same time, however, such rulers were arranged in the hierarchy of Empire, and subject ultimately to the one supreme head of the temporal World-State.

But grand ideals—and the ideal which the medieval *respublica christiana* sought to express has been called sublime—are not realized in a day. The dreams of men are impotent to change men's nature; and the imperfections of frail humanity can always be counted on to break in on the dreams of idealists, and obtrude themselves harshly on the stage where an ideal is being translated into actuality. In the Empire, trouble came, on the one hand, from the Italian nobles who coveted the power of the Popes; and on the other hand, from undue interference of Emperors in matters which pertained to the spiritual sphere, and as such were subject, not to the Emperor, whose supremacy was in the temporal order, but to the Pope, in whom resided the supremacy in spirituals. Leo III himself, who had worked out the great plan, lived long enough to learn that 'the best-laid schemes o' mice and men, gang aft agley.' Immediately after the death of Charlemagne, in A.D. 814, Leo had to deal with two plots, which aimed at securing for the schemers the temporal power attaching to the Papacy. To meet this ever-present danger of covetous designs on the part of Roman and Italian factions of the nobility, Paschal I, successor but one of Leo III, obtained from the Emperor Louis I the *pactum ludovicianum*, which guaranteed canonical election to the Papal office, and renewed the promise of protection for the Papal sovereignty. In spite of every precaution, however, the very next Pope, Eugene II, was the nominee of a faction which, by proclaiming itself pro-Frank, by being avowedly Imperialist, had been able to strengthen itself against the policy and party of Paschal I, whose aim it had been at once to curb

the growing power of the Italian nobility, and to minimise the exercise of Imperial power within the Roman territory. Imperial interests were safe at Rome during the pontificate of Eugene; and the consequence was a concordat by which it was arranged that the sovereignty of the Popes would be maintained against the nobles—for the rising power of these nobles was as much disliked by the Emperor as by the Pope-King—in return for which, as a *quid pro quo*, certain rights over the civil government of the Papal territory would be conceded to the Emperor. This agreement between Eugene II and Louis was renewed by Lothair I, son and successor of Louis, and from him is called the ‘Constitution of Lothair.’

The promise of help for the Papacy remained unfulfilled. Though the death of two of the sons of Charlemagne allowed the transmission of the Empire to the unitary control of the surviving Louis the Pious, the Germanic principle prevailed at the death of Louis, and the territory was divided in three parts, in which each of his sons was practically independent of the others, with ‘a barren precedence only reserved to Lothair,’ who, as the eldest of the sons, already held the title of Emperor. Their dynastic quarrels so engrossed these Carlovingian rulers that they had no time to devote to the affairs of a small Italian territory, and the Papacy fell as a prey to the factions of the Italian nobility. It was in vain that the Popes sought the help they needed from the Empire. And when the great creation of Charlemagne disintegrated in A.D. 888, after Charles the Fat had succeeded in reuniting under his sole sway the whole territory of Charlemagne, but ‘had failed to strengthen or defend the expiring monarchy,’¹ it had already lived long enough completely to disappoint the idealists who had looked for so much from the great plan. ‘Rome and Italy were now left to sixty years of stormy independence.’²

The next picture on which we must look is a sad one.

¹ Bryce, *op. cit.*, p. 78.

² *Ibid.*

It is to depict the travail of the Papal Kingdom from the fall of the Carolingian Empire, through the years of independence, then through the revival of the Empire under Otto I, and on to the days which saw the movement to free the Papacy from the commanding influence of the Empire, which was proving detrimental as well to the temporal as to the spiritual strength of the Papal power. The picture must partake of the nature of a *chronique scandaleuse*; but we must not, for all that, close our eyes to it: it has its lessons to teach.

We might exemplify the sad state of the Papal power in the period we are now considering by recording how Pope Stephen VI satisfied the lust for revenge of Agiltrude whom Pope Formosus had had the misfortune to offend. Or we might, instead, recall how Pope Leo V was deposed by his successor Pope Christopher, and Pope Christopher by Pope Sergius III. But, perhaps, we will best realize the fortunes of the Papal States by considering briefly the family history of Theodora.

Theodora was the wife of Theophylactus, a Roman Senator; she was also the head of one of the most powerful of the Roman factions. She indicated her intention that the Papal territory should be controlled in the interests of the aristocratic faction of which she was the leader when, on the death of Pope Lando, she secured the election of a relative of her own to the Papal throne, in the person of Pope John X (A.D. 914 to 928). Her daughter, Marozia,¹ continued the same policy when she succeeded her mother as recognized leader of the Tuscan faction. She had been married to Alberic, Consul of the Romans, and retained control of the Roman territory by putting on the throne of the Popes John XI (A.D. 931 to 936), her own son.² After the fall of Marozia, the powerful clique led by her younger son, Alberic II, completely dominated the Papacy, reserving to itself the

¹ 'Theodora duas habuit natas, Maroziam atque Theodoram, sibi non solum coaequales, verum etiam veneris exercitio promptiores.'—Liutprand.

² *Liber Pontificalis*, ed. Duchesne, ii. 242, and cf. Liutprand, *Antipod.*, ii. 48, quoted by Duchesne, loc. cit.

temporal administration of the Papal States, and leaving to John XI freedom only in the exercise of purely spiritual duties. After John XI, the Popes Leo VII and Marinus II were the creatures of Alberic and his faction ; and before his death, Alberic took an oath of the nobles that they would secure the Papacy at the next election for his son Octavius, who, when eighteen years of age, was elected as Pope John XII, combining once more in the same person the spiritual power and the temporal authority which he inherited from his father. With John XII we reach the temporary end of the influence of that branch of the family of Theodora which descended through Marozia, and which will regain control only after a period of ascendancy has been granted to the branch of the family which came through Theodora the Younger, the second daughter of Theophylactus and the elder Theodora.

The territory over which John XII exercised sovereign power was only that part of the former Papal kingdom which had been subject to his father, Alberic, and which embraced only the Duchy of Rome, the rest of the quondam territory of the Popes coming finally under the rule of King Berengar. It was to protect himself against the encroachments of this Berengar that Pope John invited to Rome, Otto the Great, King of the East Franks or Germans, and, in 962, crowned him Emperor of the new Holy Roman Empire.

When the Empire of Charlemagne broke down at the death of Charles the Fat, in A.D. 888, the Germans chose as their king Arnulf, an illegitimate Carolingian. To Arnulf succeeded his son, Lewis the Child ; but there the male line ended, and the Germans turned to the female line of Charles, taking as their Kings, first Conrad the Franconian, and after him Henry the Fowler, Duke of Saxony. Otto was the son of this Henry. The Empire of Otto, though a restoration of the Empire of Charlemagne, was much smaller than it in extent, and was in reality ' the sovereignty of Germany and Italy vested in a Germanic Prince.'¹ It

¹ Bryce, *op. cit.*, p. 80.

was based, ultimately, on the same theory of a world-monarchy as had been the inspiring reason for the formal inauguration of the Carolingian Empire; for men were still convinced that such an organization was desirable and necessary. They had been disillusioned considerably by the march of events in the earlier Empire; but they were not weaned from the great idea, and the process of disillusionment had to be continued. The undue interference of the new Empire in the ecclesiastical sphere will make them wonder if the experiment is after all foredoomed to failure; yet, unlike a later age, which could not understand reformation except expressed in terms of revolution, they will strive, in the persons of Nicholas II and Gregory VII, to remove the defects while retaining what is good in the Imperial scheme.

Imperial interference began when the Emperor Otto deposed Pope John XII on the ground of treachery, and appointed in his place a layman who, hurried through the various Orders, was installed as Leo VIII, but found it impossible to live in Rome except with the protection of Imperial troops. Otto also obtained from the citizens of Rome a guarantee that they would not for the future elect a Pope without the consent and sanction of the Emperor.¹ In spite of this guarantee, the Romans proceeded to elect Benedict V to the Papacy in opposition to the Imperial Pope Leo VIII; and when Leo and Benedict had solved an acute problem by dying, the former, in A.D. March, 965, the latter, in July of the same year, the new Imperial appointment was Pope John XIII—with whom we get back to our narrative of the family history of the famous Theodora, for John XIII was her grandson, being the son of Theodora the Younger and a certain John, who was a Consul and, later, a Bishop.

John XIII is not known to have achieved very much in the interests of Christianity; but he is known to have secured again for the Papacy the Ravenna territory which

¹ 'Cives fidelitatem promittunt, hæc addentes et firmiter iurantes numquam se papam electuros aut ordinaturos præter consensum atque electionem domini imperatoris Ottonis Caesaris Augusti filiique ipsius Ottonis.'—Liutprand, *Gesta Ottonis*, lib. vi.

had been lost to Rome for a number of years. His death, in A.D. 972, brought on a new struggle; for the Imperial selection, Benedict VI, did not find favour with Crescentius, the brother of the lately deceased John XIII, and for a period the story is that of the struggle waged between the Imperial party on the one hand, and the Crescentian faction on the other. The Crescentians seized the person of Pope Benedict VI, imprisoned him in the Castle of Saint Angelo, and, later, had him strangled, when an Imperial officer was hastening to his rescue; in the meantime, they intruded into the Papal office Boniface VII. When Sicco, the envoy of Otto, reached Rome, and found that he had arrived too late to save Benedict VI, he got the Roman clergy to elect as his successor Benedict VII, who managed, with Imperial assistance, to expel the Crescentian anti-Pope, and to reign usefully until A.D. 983. The next Imperial Pope was John XIV, who had scarcely been consecrated when his Imperial protector, Otto II, died, and the Crescentian faction brought back their Boniface VII from his exile, and imprisoned John as they had imprisoned Benedict VI. The death of the rivals once more cleared the scene, when John and Boniface finished their earthly careers within less than a year of each other. Death had lately claimed also Crescentius, whose power and the leadership of the faction had passed to his son, Crescentius the Younger.

The pontificate of John XV was completely dominated by the second Crescentius, whose faction now held the reins of the temporal power in the Papal territory; but the period was one of comparative peace, as the Pope was able at the same time to maintain friendly relations with the Imperial authorities. But at his death the old trouble was renewed; the selection of the Roman electors was Bruno, a grandson of the Emperor Otto the Great, who took the name of Gregory V; the Crescentian anti-Pope took the name of John XVI. This time the rivalry gave rise to a war, and Otto III came to Italy with a German army. John XVI was 'taken by the Imperial troops, his eyes were put out, and his ears cut off; he lost also his

nose and his tongue.' What was left of him was imprisoned in a monastery. So we learn from the Venetian Chronicle. The troops of Otto III next turned to besiege the Castle of Saint Angelo, in which Crescentius had taken refuge; on its fall, Crescentius was beheaded, and there was a temporary end to the power of the Crescentian faction.

During the abeyance of the Crescentian power, we get a glimpse of what might have been continuously possible, if only the self-seeking of men could be restrained from intruding unworthy candidates into the Papacy. The pontificate of Gerbert, who took the name of Pope Sylvester II, shows the working value of the ideal underlying the medieval *respublica christiana*, in contrast with the many reigns which demonstrate how human failings could rob that concept of its worth. Gerbert, 'to his contemporaries a marvel of piety and learning,'¹ 'administered his high office with great earnestness and a profound sense of responsibility. His discourse upon the episcopal office shows what his view of the chief spiritual pastors of the Church was. He took energetic measures against the abuses in the life of the clergy caused by simony and concubinage, and was anxious that only capable men of spotless lives should receive the episcopal office.'² Sylvester was the herald of the reformation; but before that happy event, we have yet a little more to hear of the wonderful family of Theodora.

Sylvester II died at Rome in A.D. 1003. Immediately the Crescentian faction, under the leadership of John Crescentius, son of Crescentius the Younger, again came into power, seized the reins of authority, and succeeded in placing and maintaining on the throne of the Apostles the next three pontiffs, John XVII, John XVIII, and Sergius IV. During these pontificates, which extended from A.D. 1003 to A.D. 1012, the temporal power was in the hands of the faction to whose influence the Popes owed their elevation, though Sergius tried to lessen the power of John Crescentius by doing what he could to strengthen the pro-German party in Rome. And when Sergius and his patron

¹ Bryce, op. cit., p. 146.

² *Catholic Encyclopedia*, art. 'Pope Sylvester II.'

died together in the spring of A.D. 1012, the power of the Crescentian faction passed once more to the Marozian line of Theodora's descendants, where it had another lease of life.

The submergence of the Crescentian power came in the election which followed the death of Sergius IV. With the concurrence of the Imperial power, Theophylactus, son of Count Gregory of Tusculum, a scion of the line of Theodora and Marozia, was promoted to the Papacy, and took the name of Benedict VIII. Having successfully disposed of the Gregory whom the Crescentians tried to have elected, Benedict left to his brother Romanus the civil administration of the Roman territory and the task of subjugating the remnants of the Crescentian faction, while he, in happy concord with the new Emperor Henry II, concerned himself with the problems which the lowered tone of morality throughout the Church presented to a Pope who had eyes for such matters. To Benedict succeeded his brother Romanus, under the name of John XIX; and after John came his nephew, Benedict IX,¹ one of those who are known in history as the 'bad Popes,' and with whom we at last reach the period of really effective reform in the Church.

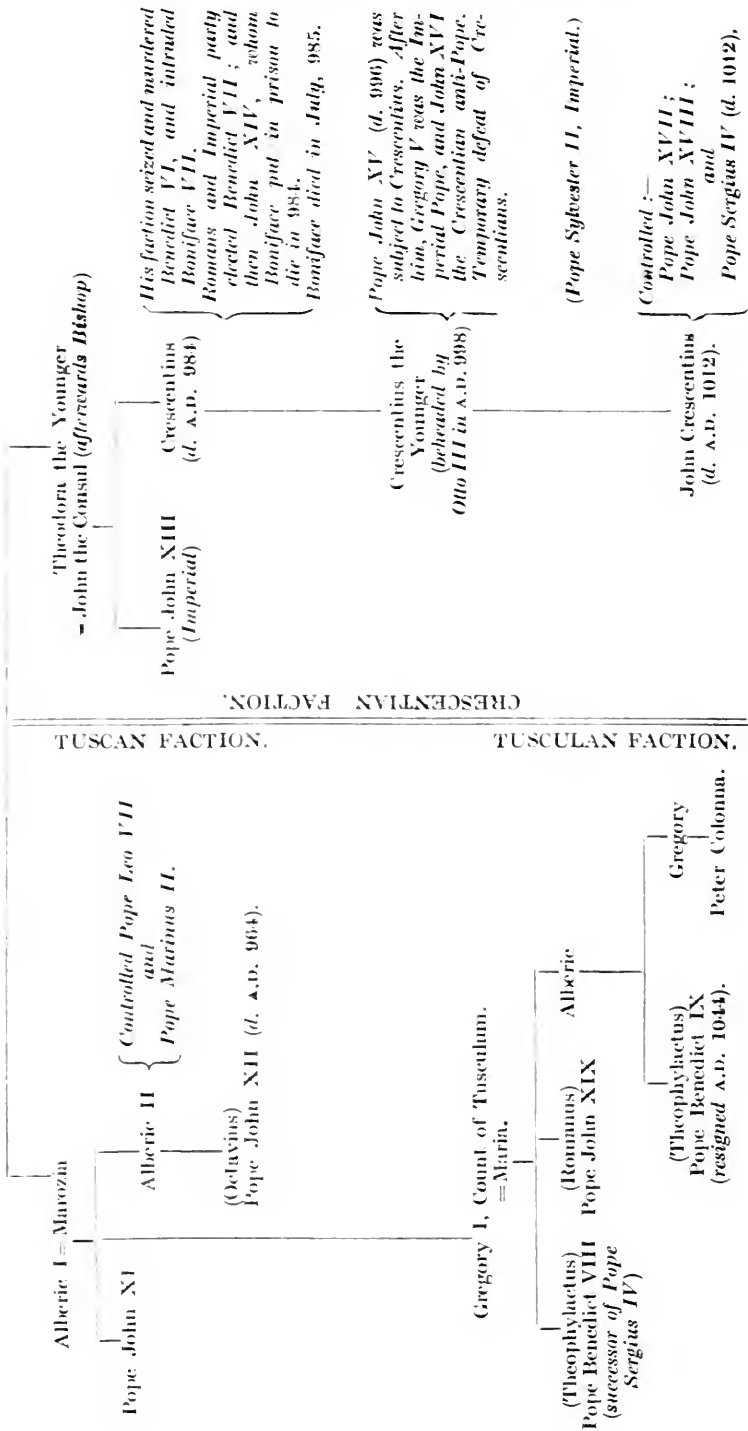
We have seen the Papacy the prey of one or other of the factions of the Roman nobility, or, for short periods, the creature of a German Emperor. Not all the Popes promoted in the interests of a family were bad Popes; not by any means. But they were not their own masters. And, perhaps, it would not be an unfair summing up of the situation which the enslavement of the Papacy produced simply to say that at the time of the election of Pope Leo IX in 1049, St. Bruno, Bishop of Segni, testified that 'Simon Magus was lording it over the Church'; and that when St. Peter Damian (A.D. 1007 to 1072) drew a picture of the Catholic world about him, he chose as the most suitable name for his book the sinister title of *Liber Gomorrhianus*.

¹ We do not continue to chronicle the fortunes of the family of Theodora beyond Benedict IX. But some might find it interesting to note that a nephew of Benedict IX was Peter Colonna, from whom descended the Colonna family, famous during the period of the Renaissance and the Protestant revolution, and which has branches still existing in Rome and Naples.

THE FAMILY OF THEODORA.

(Controlled Pope Sergius III and Pope John X, her relative.

Theophylactus = Theodora.



TUSCAN FACTION.

TUSCULAN FACTION.

Theodora the Younger = John the Consul (afterwards Bishop)

Pope John XIII (Imperial) Crescentinus (d. A.D. 984)

{ His faction seized and murdered Benedict VI, and intruded Boniface VII. Romans and Imperial party elected Benedict VII; and then John XIV, whom Boniface put in prison to die in 984. Boniface died in July, 985.

Crescentinus the Younger (beheaded by Otto III in A.D. 998)

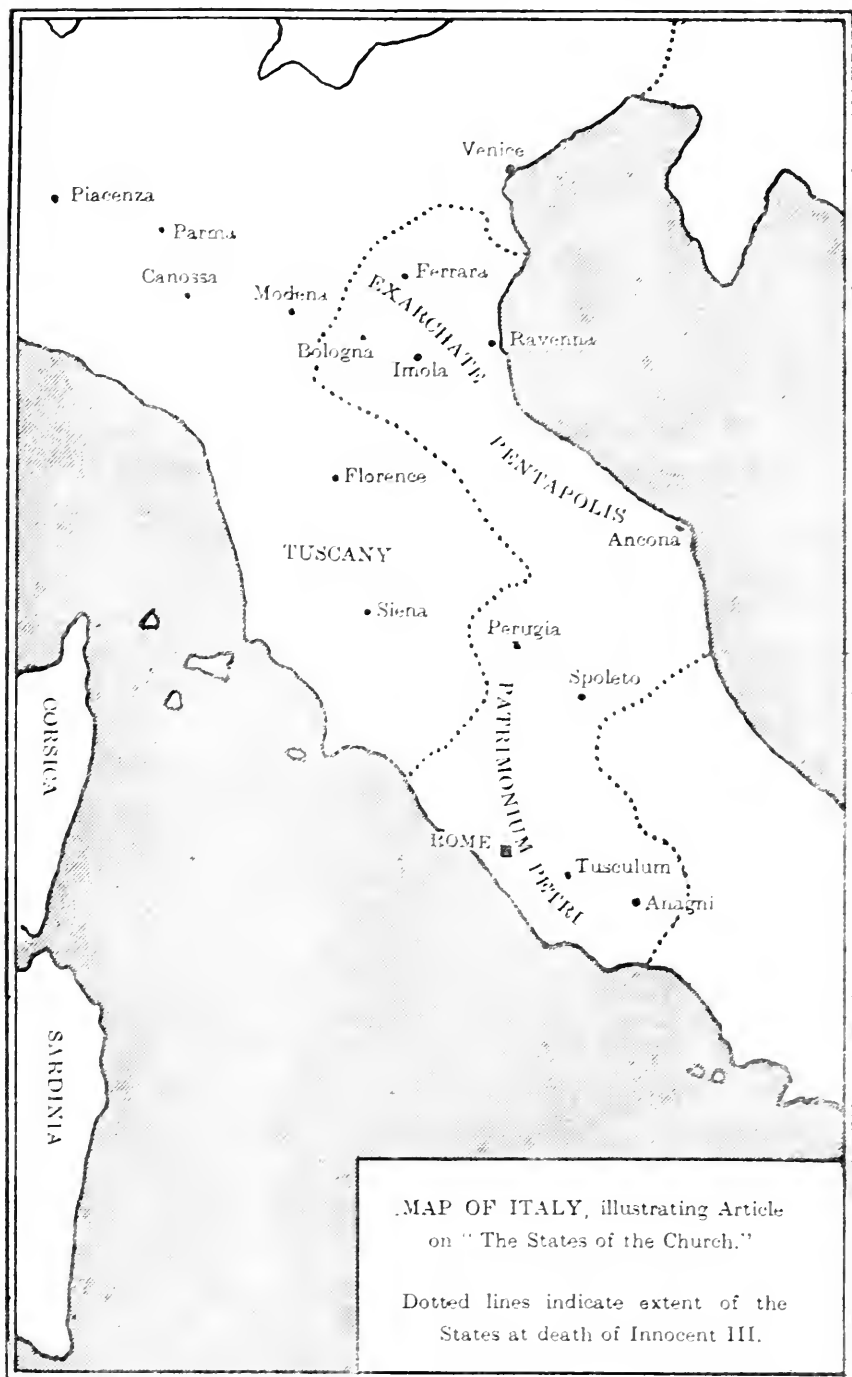
{ Pope John XV (d. 996) was subjected to Crescentinus. After him, Gregory V was the Imperial Pope, and John XVI the Crescentian anti-Pope. Temporary defeat of Crescentians.

(Pope Sylvester II, Imperial.)

John Crescentinus (d. A.D. 1012).

{ Controlled:— Pope John XVIII; and Pope Sergius IV (d. 1012).

CRESCENTIAN FACTION.



The narrative of the events of the ninth and tenth centuries serves at once to throw light on the statement that these centuries were the real 'dark ages' of the Church, and to show how urgently was needed a drastic reform in ecclesiastical affairs. The effort to cure the ills from which the Church was suffering in her slavery was begun by the line of German Popes who wore the tiara after it had been first disgraced and then sold by Benedict IX; and these Popes, imperially appointed and protected, undoubtedly did much towards the elimination of the vices of clerical incontinency and simony which were the bane of the Church throughout the Empire. But it was a young official in the Papal court who most clearly realized¹ where the root of the trouble lay. He believed that the immoral lives of so many ecclesiastical persons was an evil that could be combated only by securing the promotion to orders of such exclusively as were fit for a celibate life; this in turn could be secured only by a free Papacy ruling a free Church, could be secured only when the interference of lay persons in the appointment to benefices should be abrogated, and the power of choice and appointment vested in the hands of a Pope who owned no man as his spiritual master. This clear vision of the young Hildebrande is the explanation of the warfare instituted by him later on as Gregory VII, against lay-investiture, which is a subject outside the limits of our story; it is also the explanation of his efforts, before he reached the throne of the Popes, to end for ever the interference of outside powers in the Papal elections, which is a subject germane to our narrative, inasmuch as the freedom of election of the Popes now gained led in time to the freedom of the Popes themselves.

Pope Nicholas II (A.D. 1058 to 1061) was the candidate of Hildebrande for the Papacy when the death of Stephen X left a vacancy; and though the Tusculan faction had been able to have the Bishop of Velletri appointed as Benedict X, the reform party succeeded in upsetting that

¹ Vide Milman, *History of Latin Christianity*, Book vii. chap. i.

election, and in securing the Papacy for their own nominee. The task which Nicholas and his lieutenant, Hildebrande, set themselves was to win the freedom of the Papal elections from both the destructive influence of the Roman nobles and the power of the Emperor. This they achieved in the famous synod of Easter, 1059, when the election of future Popes was vested exclusively in the Sacred College of the Cardinals.

Efforts to determine the authentic text of this decree caused considerable controversy in the nineteenth century. . . . We possess today a Papal and an Imperial recension, and the sense of the law may be stated substantially as follows: (1) At the death of the Pope, the cardinal-bishops are to confer among themselves concerning a candidate, and, after they have agreed upon a name, they and the other cardinals are to proceed to the election. The remainder of the clergy and laity enjoy the right of acclaiming their choice. (2) A member of the Roman clergy is to be chosen, except that when a qualified candidate cannot be found in the Roman church, an ecclesiastic from another diocese may be elected. (3) The election is to be held at Rome, except that when a free choice is impossible there, it may take place elsewhere. (4) If war or other circumstances prevent the solemn enthronization of the new Pope in St. Peter's Chair, he shall, nevertheless, enjoy the exercise of full Apostolic authority. (5) Due regard is to be had for the right of confirmation or recognition conceded to King Henry, and the same deference is to be shown to his successors, who have been granted personally a like privilege.¹

The Papacy in this pontificate also made itself strong for the carrying out of this new election law, as well as for its other reform projects, by negotiating an alliance with the Normans of Southern Italy. Alexander II, who succeeded Pope Nicholas, was duly elected according to the new law, and, what is more, was able to maintain himself on the throne of the Popes despite a violent opposition. So, too, Gregory VII, under whose guidance the reform achieved in the Head of the Church was extended to the members, when the war was opened against lay investiture of those appointed to ecclesiastical benefices.

There came to the throne of Germany, in A.D. 1152, Frederick I, surnamed Barbarossa, son of Frederick of

¹ *Catholic Encyclopedia*, art. 'Nicholas II.'

Swabia. Part of his early activity as King of Germany concerned itself with recovering for the civil head the power formerly exercised in the selection of Bishops, a power which had been ended by the Concordat of Worms (A.D. 1122), which closed the first stage of the struggle between the Papacy and the Empire for the liberty of the Church. In his efforts, he was not without the support of many German Bishops; but when he tried to use his recovered power in connexion with the appointment to the Archbishopric of Magdeburg, he came at once into conflict with the authorities at Rome, who, however, had so much to absorb their attention in Italy that they could do nothing but acquiesce in the usurpation of power by Frederick. But Frederick saw that the Concordat of Worms was not the only obstacle to the realization of his programme, which was equally thwarted by the nascent republicanism of the Italian cities; for his programme was a programme of Imperial renovation.

‘The idea of the Empire, the idea of an universal Christian monarchy, not interfering with the local independence of particular kingdoms and commonwealths, but placing Caesar Augustus, the chosen and anointed chief of Christendom, as the common guide and father of all . . . such was the idea for which the first Frederick struggled.’¹ ‘Of the constitutional rights of the Emperor, of his unlimited supremacy, his absolute independence of, his temporal superiority over, all other powers, even that of the Pope, Frederick proclaimed the loftiest notions.’²

In the conflict between Frederick and the republicanism³ of Italy, the Papacy had a difficult course to steer, to avail

¹ Freeman, *Select Historical Essays*, p. 17.

² Milman, *op. cit.*, iii. p. 411.

³ A good deal of sympathy is extended to the Italian medieval republicans on the basis of the assumption that they were seeking to give expression to the nationalism which our times profess so much to admire. Yet, Freeman writes (*op. cit.*, p. 179) as follows: ‘Nothing could be more opposed to any doctrine of nationality than those ideas which were the essence of the whole political creed of the time, the ideas of the Universal Empire and the Universal Church. On the other hand, *the conception of the joint lordship of the world, vested in the successor of Peter and the successor of Augustus, was hardly more opposed to the doctrine of nationality than was the form which was almost everywhere taken by the rising spirit of freedom. . . .* Of a strictly national patriotism for Germany or Italy, men had very little thought indeed.’ (Italics ours.)

itself of the assistance of the German King against the anti-Papal republicans, and yet to avoid conceding to him an unquestioned supremacy in Italy, such as would have thrown the Papacy back into the conditions of the tenth century.

The assertion of Imperial supremacy was made not long afterwards, on the occasion when a Papal legate referred to the Imperial dignity as a *beneficium* of the Popes. The severe strain which the ensuing controversy put on the relations of the two powers was left by Adrian IV (*d.* A.D. 1159) to be borne by his successor, Alexander III, who, filled with a spirit like that of his great predecessor, Gregory VII, scorned to acknowledge Imperial supremacy, and lived to see the treaty of Venice (A.D. 1177) signed after the battle of Legnano, in which the Imperial forces were smashed by the armies of the anti-Imperial Lombard League, by which the great ambition of universal dominion of Frederick Barbarossa was made impossible of achievement.

It would be interesting to inquire how far the republicanism of the Lombard League, which sought to achieve independence of the Empire, affected the ideas of the Popes who now came to rule the Church, but that inquiry cannot be made here. It must be sufficient to notice that a tendency to reject the long-cherished ideal of an universal monarchy as the desirable organization of Christendom evidences its presence even in the actions of the Popes, who now strike out towards such an independence as would free the Church for ever of the destructive interference of the Germanic Emperors in spiritual affairs. That seems to be a reasonable interpretation of the mind of Pope Innocent III (A.D. 1198 to 1216) who, seizing the chance of a vacancy of the Imperial throne caused by the death of Henry VI, grasped in his strong hands the reins of authority in Rome, and compelled the Imperial viceroy or prefect to swear allegiance to himself, and the senator, who represented the communal rights and privileges of the people of Rome, to receive his authority no longer from the people whom he represented, but from the Pope, whose official he was henceforth to be.

Innocent obtained from his protégé, Frederick II, a restoration of the Papal territory, as it was in the days of its greatest extent. And though Frederick II lived to become a formidable enemy of the Papal sovereignty,¹ the Popes, notably Pope Innocent IV, were able to maintain what Innocent III had established, and so to justify the title of this Innocent III to the name of 'Restorer of the States of the Church.'

J. F. O'DOHERTY.

[*To be continued.*]

¹ Cf. Freeman, *op. cit.*, p. 218: 'The dominion at which he [Frederick] aimed was the effective immediate dominion of a Byzantine Emperor or a Saracen Sultan, rather than the shadowy lordship of a world, every inch of which was really partitioned out among independent princes and commonwealths. . . . He set himself, as the main object of his life, the depression of the spiritual, and the exaltation of the temporal, power.'

THE 'DEFENSOR PACIS'

BY REV. R. HULL, S.J.

THE Cambridge University Press has recently issued a very remarkable work. Written in 1324 and first printed in 1522, it has had to wait for four hundred years from that date for its first critical edition. This is now in our hands, thanks to the labours of Mr. Previté-Orton,¹ who has collated many MSS. in the preparation of the text, and provided a short but very useful introduction, in which he treats of the life of Marsilius and of John of Jandun (the joint author with Marsilius), the structure and contents of the book, and the MSS. (illustrated by five handsome plates). The book is well indexed, and the whole production is typical of the excellent workmanship which we have come to take for granted in the publications of the old University Presses.

If the history of the book is somewhat exceptional, even more so is the book itself. The struggle between Lewis of Bavaria and John XXII, with which the name of Marsilius is associated, is a passing episode in the long life of the Church; but his book will ever remain of outstanding importance for the student of political theory and for the Church historian, on account of the radical criticism of ecclesiastical and civil institutions which he there develops.

One rises from a first study of the book with very mixed feelings. Marsilius writes with the distresses of the Italy of his day clearly before him. Like his fellow, Ockham, his purpose is practical: the title of the book

¹ *The Defensor Pacis* of Marsilius of Padua, edited by C. W. Previté-Orton, M.A., Fellow and Librarian of St. John's College, Cambridge (1928).

is evidence of this.¹ The one thing which Italy needs is peace; and Marsilius teaches his suffering fellow-countrymen why peace has fled from them. The root of the evil is the Papacy, and it is to reduce this threatening and disturbing power to its proper proportions that he proposes to set forth the real basis of civil peace, and to demonstrate that the Papacy has been the chief cause of the destruction of the foundations of society, and has brought Italy to a state of wretchedness and misery. Marsilius proves himself not unequal to handling such a theme with vigour, and, at times, with flashes of passionate eloquence. But he lacks the gift of clear arrangement; the same matter is treated in several places, due proportion is not observed between the importance of a topic and the length of its discussion, and there are numerous repetitions and cross-references. The work, moreover, is not free from certain inconsistencies and apparent contradictions. However, it is indisputably a remarkable book, and its influence is and always will be enormous. The greater, therefore, is the pity that it is a pestilential book. While pretending to define the conditions necessary for the securing of peace, Marsilius has forgotten, or rather expelled from his system, all that can ensure their effective operation. He sets up an ideal of government, but he divorces from it any satisfactory sanction for his precepts, and develops a system in which the ultimate appeal must be to force, and the chief motive must be fear. And the irony of it all is that he professes to be setting forth the doctrine of the Church—at least he desires to submit his work to her judgment.²

The *Defensor Pacis* falls into three parts of unequal length, viz., Dictio I, pp. 1–110 (in Mr. Previt -Orton's edition), Dictio II, pp. 111–491, and Dictio III, pp. 492–501; this latter is merely a summarization of the conclusions

¹ The title is explained in the last chapter of the book—Dictio III., capitulum 3, p. 500. (All further references are to *The Defensor Pacis*, which is quoted, according to Dictio, capitulum, and page in Mr. Previt -Orton's edition.)

² III. 3, p. 501.

arrived at in the preceding parts. It is, obviously, impossible in the space at our disposal to touch on all the topics discussed by Marsilius; we propose, therefore, to consider some leading ideas in his theory of the Church, especially in its relation to the State, and to add some remarks on points of miscellaneous interest.

Marsilius begins by laying down a theory of the State. For his immediate purpose, the most important principle is the necessity of unicity of rule in the State. This is based on such considerations as the maintenance of civil justice and rights, the punishment of transgressors, the organization of common services, e.g., the summoning of the common council for deliberation, or the calling out of the forces of the State for war, the prevention of discord and the preservation of a common allegiance among the citizens.¹ His view² as to the purpose of the *sacerdotium* in the State is indicative of what we shall find later on to be his considered opinion on the place of the Church in the world. While it is a part of the State, its purpose is something outside the State, viz., the attainment of eternal life. To redeem men after the fall of Adam, God sent His Son Who delivered to mankind the *Lex Evangelica* 'praecepta continentem credendorum, agendorum, et fugiendorum, atque consilia eorum. Quorum observatione . . . merentur . . . felicitatem aeternam.'³ Christ instituted the priesthood to teach men this law, and so to lead them to the attainment of eternal life.⁴ Here, again, we detect a leading idea in the ecclesiology of Marsilius. The Christian dispensation is a *doctrina*, not a *lex*; its ministers teach and counsel, but do not rule the faithful. What then is Marsilius' definition of a *lex*? He discusses the question in detail in Chapter X.⁵ After

¹ It is noticeable that Marsilius shows no enthusiasm for the idea of the empire; he dismisses the question as not germane to his enquiry, but it is clear that he was in no way an ardent supporter of this institution. (I. 17, p. 94; II. 28, p. 446.)

² I. 6, p. 21 foll.

³ I. 6, p. 23.

⁴ I. 6, p. 24.

⁵ I. 10, p. 36 foll.

distinguishing several meanings usually attached to the word, he finally defines it after Aristotle, 'Lex autem coactivam habet potentiam, sermo ens ab aliqua prudentia et intellectu'; he glosses as follows: 'sermo igitur seu oratio ab aliqua prudentia et intellectu, politico scilicet, id est, ordinatio de justis et conferentibus et ipsorum oppositis, per prudentiam politicam, habens coactivam potentiam, id est, de cuius observatione datur praeceptum quod quis cogitur observare, seu lata per modum talis praecepti, lex est.'¹ Where there is no *coactiva potestas* there is no *lex*; and it is precisely on the absence of such a *coactiva potestas* in the *Lex Evangelica* that Marsilius bases his theory of the Church.

It is this latter question which occupies him throughout Dictio II. It must be admitted that he has the merit of seeing that its solution must depend on the investigation of the positive expression of the will of Christ. 'Expedit narrare primum institutionis et determinationis episcoporum seu presbyterorum modum circa statum et initium ecclesiae primitivæ, unde cetera postmodum derivata sunt. Horum autem omnium principium accipiendum est a Christo, qui caput est et petra super quam fundata est ecclesia catholica.'² The recognition of this fact raises a difficulty which Marsilius is not afraid to face. He has laid it down that the *legislator humanus* has the sole right to define and institute all offices in the State³; yet Christ, who was not a *legislator humanus*, is admitted to have instituted the *sacerdotium* in the Church. How are these two positions to be reconciled? Marsilius answers by distinguishing two different aspects of the priesthood. On the one hand, the priesthood is a civil function; on the other, it is a function arising from the possession of the *character sacerdotalis*. The former owes its origin to the *legislator humanus*, the latter to Christ.⁴ At first sight it may seem that by this distinction Marsilius has extricated himself from one difficulty only to fall into

¹ I. 10, pp. 38, 39.

² II. 17, pp. 288, 289: cf. II. 4, p. 129.

³ I. 15, p. 71: I. 12, p. 49.

⁴ II. 15, p. 263 foll.

another. It will indeed be urged against him that the institution of the *character sacerdotalis* implied the setting up of a form of jurisdiction which did not owe its existence to the State. But to this also Marsilius has his answer. The institution of the priesthood by Christ did not carry with it the institution of any real power of coercive jurisdiction in the priest. Everything in the New Testament bearing on the foundation of the Church and the apostolic office is explained by Marsilius in terms of orders, not jurisdiction. But here again, despite such extreme views, Marsilius is absolutely clear on the doctrine of apostolic succession. Whatever powers Christ gave first to the Apostles, the latter handed on to their successors. 'Quam etiam auctoritatem¹ apostoli quibusdam contulerunt, aut Deus per ipsos orantes et manus aliis imponentes. Sic quoque reliqui potestatem faciendi susceperunt, et consequenter fecerunt, faciunt, et facient usque ad saeculi consummationem.'²

A reference to his doctrine on the Sacrament of Penance where, if anywhere, we should expect to meet some concession on his part in the matter of jurisdiction, will show both the consistency and the radical nature of his theory. That the priesthood carries with it the power of absolving from sins is never doubted or denied by Marsilius. The 'potestas clavium seu conferendi poenitentiae sacramentum, id est, solvendi vel ligandi homines a peccatis, quae idem sunt' was given to priests 'in persona Petri et reliquorum apostolorum.'³ Again, the *character sacerdotalis* is the power 'per quam etiam solvere potest et ligare homines a peccatis.'⁴ But, besides the fact that he seems to consider this power as being attached to the sacerdotal office in the same manner as is the power of consecrating, and as being exercised solely in virtue of the *character sacerdotalis*, the explanation which he gives

¹ It is noticeable that Marsilius uses the term *auctoritas* of the *character sacerdotalis*.

² I. 19, p. 103.

³ II. 6, p. 161.

⁴ II. 15, p. 265.

of the precise effect of the ministry of the priest in the Sacrament of Penance is such as to exclude entirely from it any exercise of jurisdiction. His theory is illustrated by an example taken from the functions of an earthly gaoler.¹ It is, of course, the judgment of the civil authority which absolves or condemns the prisoner; but it is the office of the gaoler to open or close the doors of the gaol for the prisoner. So, it is God Who forgives or condemns the penitent; the priest's office merely consists in declaring the sentence already passed by God, which he does by the pronouncement of the formula of absolution.²

Nowhere, indeed, does the revolutionary character of the system of Marsilius stand more clearly revealed than in this theory of penance, with its corollary in his views on excommunication. In the latter, of course, we have an opportunity, according to orthodox doctrine, of seeing the secular and the spiritual power acting in close co-operation. The spiritual penalty carried with it several civil disabilities of no little importance. In our own day, the application and the severity of these latter have been considerably modified. But in the times of Marsilius the civil effects of excommunication were still very real and burdensome. Of the person excommunicated he writes: ' . . . et eidem infligitur poena quaedam gravis, etiam pro statu vitae presentis, ut quia diffamatur publice sibique interdicatur aliorum consortium. Ex quo etiam civili communione atque commoditate privatur.'³ Marsilius will not concede such a right of punishment to the spiritual power: it pertains to the *fideliū universitas*; for the priesthood does not carry with it the coercive power which the infliction of the sentence of excommunication implies. Such a view is entirely consistent with, and indeed necessitated by the teaching of Marsilius as to the nature of the whole Christian dispensation as contained

¹ II. 7, p. 175.

² In support of his view Marsilius appeals to the Master of the Sentences and to Richard of St. Victor (II. 6, p. 162). It is, indeed, the view of Peter Lombard; but Richard calls it a foolish theory. (Migne, *P.L.* 196, 1168.)

³ II. 6, pp. 168, 169.

in the Gospels. This is not a *lex*, but a *doctrina* : it is a teaching, not a discipline. With Marsilius this is a vital distinction. All standards or rules of human actions may be called laws in a general sense ; but law, in the proper sense of the term, is found only in those rules which carry with them the power of coercive jurisdiction.¹ As this power is absent from the Christian dispensation, it cannot be called a law. But here again Marsilius makes a distinction. If the *Lex Evangelica* is not a *lex* for this life, it is, in the strictest sense, a *lex* for the next life. In other words, the pains and penalties which have been attached to the transgression of this law are to be incurred only in the next life. Christ Himself did not exercise any coercive jurisdiction in this world, and He did not give His followers the right of exercising it in His name. He reserved to Himself the right of judgment and the consequent right of infliction of punishment—both of which He determined to exercise in the next life. 'Voluit enim ex sui misericordia Christus usque ad extremum cuiusque periodum concedere mereri, et de omnium commissis in ipsius legem poenitere posse.'²

The theory of the effect of sacramental absolution is not only important in itself, but it gives us the key to the views of Marsilius on the original powers bestowed by Christ on Peter. The power of the keys, in fact, according to him, denotes simply the power of forgiving sins,³ and this latter, as we have just seen, does not imply the exercise of any jurisdiction on the part of its possessor. Such a view imposes on Marsilius the duty of explaining how the Pope has been able to build up the *plenitudo potestatis* as it was then exercised. To this question he replies in the best manner of some modern historians—the history of the papacy is the history of gradual

¹ ' . . . lex secundum . . . proprie dictam significationem dicitur de regula coactiva.'—II. 9, p. 187, 188.

² II. 9, pp. 186, 187.

³ e.g., 'Tibi dabo claves regni coelorum, etc., quod ex hiis verbis non aliam potestatem . . . tradidit Christus quam ligandi et solvendi homines a peccatis.'—II. 29, p. 469 ; cf. II. 6, p. 161.

encroachments and usurpations conducted under the guidance of astute and unscrupulous prelates against all the claims of justice and public order.¹

Up to the time of Constantine, no Pope exercised any form of jurisdiction, although appeal to Rome was made with regard to the points of doctrine which from time to time were in dispute. These appeals, however, were made, not on account of any divine prerogative of the Pope, but because at Rome sacred studies had made more progress, and solutions of difficulties could more easily be obtained there than elsewhere. The fact that Peter was the first Bishop of the city had also some influence in the building up of this authority in doctrine which Rome enjoyed. Moreover, other provinces of the Church were in the habit of asking Rome to provide them with Bishops. Taking advantage of this spontaneous acceptance of assistance from Rome, the Popes, even before the time of Constantine, began to ascribe to themselves the right of issuing *decreta* binding on the whole Church. It was, however, Constantine who first delegated to the Roman Church and its Bishop a legitimate power of jurisdiction over the rest of the Church.² Up to the time of Constantine, therefore, the Church of Rome rightly exercised a limited power of direction over the Church as a whole; but, with the advent of Christian rulers, the condition of affairs underwent a radical change, as it then became possible to organise the Church according to sound principles.³ But despite this, the Roman Pontiffs, not content with the position assigned them by the State, continued to encroach on the ground preserved to the secular power, until at last they set themselves up as the lords of the world in the temporal and spiritual sphere. This *plenitudo potestatis*

¹ The basis of the Roman position has always been, as even Marsilius confesses, the fact that Peter occupied a special place among the Apostles (II. 3, p. 123; I. 19, p. 105); Marsilius reduces this to a mere chronological priority in the reception of the power of the keys (I. 19, p. 104; II. 28, pp. 435, 436)—a power which afterwards was given to all the apostles in an equal degree (II. 28, p. 436).

² II. 18, p. 305 foll.

³ II. 22, p. 354 foll.

was at first, indeed, interpreted as a general care of souls which the Roman Church claimed in virtue of the powers given by Christ to Peter.¹ The first step in its development was the exclusive claim to absolve from the punishment due to sins, in virtue of these same powers. Then the Popes proceeded to pass laws for the clergy, and *rogationes* for the laity. From this arose the practice of excommunicating those who transgressed these regulations. A further step was taken when the Church ventured to pass enactments concerning purely civil matters, and exempted the clergy from secular laws, while at the same time she called on the State to punish those who disobeyed her own laws. And at last she came to claim the right to create the emperor.² Such was the course of development of the papal power—a development which was really a deformation, since it depended during the first three centuries on the voluntary acceptance by the rest of the Church of a certain measure of direction and assistance from Rome, and, later, on the power delegated to her by the secular authorities. This is, according to Marsilius, the historical origin of that *plenitudo potestatis*, which the Popes claim to have by reason of the gift of Christ.

The outstanding feature in the ecclesiology of Marsilius is, without doubt, his denial of all jurisdiction to the spiritual power. If now we seek the reason for this denial, we must admit that it follows logically from his interpretation of the texts of the Scriptures in which there is question of the powers conferred on the apostles by Christ. But if we proceed to enquire how it came about that Marsilius took this view of the Scripture evidence, we shall not be far wrong if we find the explanation in his vehement revolt against the actual situation in the Italy of his day. It was to him unthinkable that this could really be in accord with the will of Christ; or that Christ could have given His apostles power which could reduce his country to such a chaotic condition. The papal claim to a *plenitudo potestatis* was the root of the evil: and

¹ II. 23, p. 363.

² II. 23, p. 363 foll.

it could not be admitted to be anything but an abuse, based on a false interpretation of the mind of Christ.¹ He was supported in this view by his appeal to the political ideas of Aristotle, and his strong insistence on the necessity of unicity of rule in the State—a necessity which, in his mind, excluded the spiritual power from the exercise of any jurisdiction which it had not received by delegation from the State. It is, in fact, his practical standpoint which determined his interpretation of the texts. But his zeal has led him into a confusion of thought which is perhaps, even at this day, all too common. That the papal rule was not free from abuses may readily be admitted—it may also be pointed out that abuses were not the special privilege of papal rule; and Marsilius was justified in raising his voice against such abuses; had he stopped there we should have had no quarrel with him. But not only does he fail to distinguish between use and abuse—a very natural failure in one who is smarting under the latter—but he confuses two distinct kinds of power which the Pope had and claimed. The Pope was a secular prince comparable with other secular princes: and Marsilius rightly denies that Christ directly gave to Peter any such secular power. But the Pope is also the Vicar of Christ, and to him is entrusted the plenitude of power in the spiritual sphere. Marsilius, however, in his sweeping manner, rejects all jurisdiction in the Pope, and the absolute nature of this denial may be gathered from the fact already noted, that Marsilius not only refuses to acknowledge in the spiritual power the right of excommunication, but he rejects its right of jurisdiction even in the sacramental forum.

We conclude these remarks by a reference to some points of various interest which occur in the *Defensor Pacis*. Marsilius' idea of the meaning of Rogations is curious. He derives the name from the fact that the Church did not impose these forms of devotion on the faithful, but merely exhorted them to their practice:

¹ II. 23, p. 359 foll.: cf. I. 19, p. 102 foll.

'deinde vero per modum rogationum seu exhortationum ordinationes quasdam laicis suaserunt, ut ieiuniorum et certis temporibus abstinentiae ciborum . . . propter . . . misericordiam impetrandam ad quasdam tollendas . . . epidemias et aeris tempestates.'¹ He states correctly the real purpose of these exercises of devotion, but he explains the action of the Church, in accordance with his theories, as an act of counsel, not jurisdiction. Again, there are echoes in the *Defensor Pacis* of scholastic disputes: can a man really merit, in the strict sense of the term, eternal life. Marsilius accepts the view that he cannot; his merit is only *ex congruo*, 'verum ex ipsius gratiosa ordinatione merentur ex talibus, congruitate quadam, felicitatem aeternam.'² Having mentioned the *auctoritas* of the priest in the Sacrament of Penance, he goes on to say that there is another *auctoritas*, whereby they can consecrate, and adds, 'hanc siquidem theologorum quibusdam dicentibus esse ab eodem caractere cum potestate clavium, . . . aliis vero quod diverso caractere, alio etiam tempore, atque verbis Christi, collato apostolis.'³ The well-known passage of St. Jerome on episcopacy is, of course, frequently used by him. He discusses also the interpretation of the words of Augustine, 'Non crederem Evangelio,' etc.,⁴ . . . His criticism of the classical *locus* of St. Bernard on the power of the Pope is worth detailed investigation.⁵ And, finally, on the main topic of the Petrine problem, he shows a real insight into the point at issue. He sees that the fact that Peter was Bishop of Rome—even if it be accepted as a fact—does not at once dispose of the question as to who is his rightful successor in the government of the whole Church⁶; and further, that on the hypothesis that the Roman See is indeed the see of the Head of the Church, the destruction of the city would not involve the destruction of the papacy.⁷

There are other striking remarks which remain as

¹ II. 23, pp. 364, 365.

² I. 6, p. 23.

³ II. 6, p. 173; 15, pp. 264, 265.

⁴ II. 19, p. 316, 318.

⁵ II. 28, p. 454 foll.

⁶ II. 16, p. 282.

⁷ II. 16, p. 283.

salvage from the wreck of faith. The reformers of the sixteenth century would find no support in Marsilius for their Eucharistic doctrine. He is explicit as to the mode of the real presence. Christ gave the power to the successors of the apostles, and to no others, 'sub certa forma verborum ab ipsis et eorum singulis dicta, transubstantiandi panem et vinum in verum corpus et sanguinem eius,'¹ and 'Est rursum auctoritas quaedam sacerdotum, ea qua panis et vinum in corpus Christi benedictum transubstantiatur ad sacerdotis orationem post certorum verborum ab ipso prolationem.'² Again, his ideas on the inspiration and inerrancy of the Bible are not at all such as would find favour with modern rationalistic critics. Speaking of the *Lex Evangelica* he says: '. . . et per ipsorum dictamina conscripta est velut per organa quaedam ad hoc mota et directa immediate divina virtute.'³ Again, after pointing out that all human writings may err, he proceeds: 'Scripturae vero Canonicae non sic, quia non sunt ab humana inventione, sed immediata Dei traditae inspiratione, Qui nec falli potest nec fallere vult.'⁴ But despite these relics of orthodoxy, Marsilius was a reformer before the reformers; indeed in many points he goes further than his successors in the field. His spirit is the spirit of all heretics. He lays down the rule by which he will be guided as the Scriptures; but this can only mean his own interpretation of the Scriptures. He refers to the opinions of saints and doctors, but he refuses to follow them when they do not agree with his own opinion. It is the old tale again—there is nobody so infallible as the man who rejects all infallibility in an external authority.

R. HULL, S.J.

¹ I. 19, p. 103.

² II. 6, p. 173.

³ I. 19, p. 102.

⁴ II. 19, p. 314.

O'CONNELL DEFENDING MAYNOOTH

BY REV. E. J. QUIGLEY

DEFENDING Maynooth? Did Maynooth ever need defending? Who during her long existence attacked Maynooth? Maynooth needed long and strong defence, brave and skilled defenders from many attacks made by home and foreign foes in years distant and nigh.

In this century several attacks great but rather inglorious were levelled against the National College, her workings, her teachings, and her products. It was said by a mighty man that she excluded unlawfully lay students from her halls. Maynooth replied that she did so by order of the English Government which endowed her, superintended her, and mandated her. Maynooth quoted chapter and verse, day, date, and authors of the mandate of exclusion. An ignoble nobleman visited her, and wrote that in her great library she had no copies of the writings of standard writers of English histories, and hence her students' ignorance and dislike of England. Maynooth denied the first charge, named the works of twenty modern writers of English story to be seen on the shelves and in the catalogue of her great collection. The latter part of the statement she did not notice.

Maynooth College was founded by the Irish Parliament in the year 1795. It was founded after mature deliberation by British Statesmen, in consultation with Irishmen, lawyers, statesmen, and bishops. The statesmen of the old Irish Parliament were rampant, intolerant, bigots, haters of Pope and Popery. Yet, they and their British colleagues and bribers feared the influence of Irish Catholic priests. The Continental Colleges housed hundreds of clerical students for the Irish missions. If those young men, friends of the France, and Spain, and Belgium, and Italy which educated them, imbibed the love of those countries, feared and hated

by England, it were, indeed, something dreadful and disastrous to the Empire. Principles of revolution, rebellion, disloyalty to feudalism, and hatred of oppression and serfdom, were preached wholesale in these Papist lands, and if such microbes were carried to the fruitful soil of Ireland by young priests, and preached by them, the outlook were dark and threatening. The foreign-educated priests had been ultra-loyal to Caesar, and mildly loyal to Christ's Vicar, the Pope. Could a supply of such priests be educated in Ireland? That question was answered affirmatively.

There was not a word about compensation or restitution of the Catholic property of which England had robbed Ireland for centuries. No word of regret or sorrow. The statesmen and the press applauded their own generosity and broadmindedness. Hence, in the year 1795 an Act of the Irish Parliament appointed the Irish Lord Chancellor Fitzgibbon, and seven other judges, all Protestant, to act as Trustees to the new 'Academy,' for by that name, and not by the name of seminary or college was the Maynooth babe called in law. Added were the names of noble Papists—Fingall, Gormanstown, Kenmare, Bellew, French. The bigots who constructed the Act of Parliament did not deign to call the clerical trustees by their titles of 'Bishop.' Catholic bishops were usurpers of title, felons. Hence, the Act mentions 'Rev. Richard O'Reilly, Drogheda, Doctor in Divinity; the Rev. John Thomas Troy, of the City of Dublin, Doctor in Divinity.' Four Archbishops and five Bishops joined the Board. Their grant was £13,000 for the starting years, afterwards reduced to £9,000 and to £8,000.

'His Grace, the late Duke of Leinster [the Geraldine] gave every encouragement to the establishment. A house and fifty-four acres of land adjoining the town of Maynooth were granted by his Grace on a lease for lives, renewable forever, at the annual rent of £72. Twenty acres of land immediately contiguous were afterwards granted on a lease forever, by Mr. Stoyte, at an annual rent of £140, and have been added to the property of the College.

'We find that fifty students were admitted in 1795, that the next increase was from fifty to seventy, and that the number amounted in a short time to two hundred.' (*Eighth Report of the Commissioners of Irish Education.*) Here were the beginnings of Maynooth College, its houses and parks.

But the Maynooth bantling was a sturdy animal, alert, astute, brave, hardworking in his duties, and full of Popery. English newspapers and reviews, like the *Quarterly* and the *Edinburgh*, knew that the Papacy was moribund, and the folly of the priests of young Maynooth teaching and singing about the Papal throne—'For against it the gates of hell shall war in vain as they have ever warred.' Worse was sung.

Great dynasties die, like the flowers of the field,
Great empires wither and fall,
Glories there have been that blazed to the stars,
They have been—and that is all.

But there is the grand old Roman See,
The ruins of earth among,
Young with the youth of its early prime,
With the strength of Peter strong.

The Irish bigots raised the alarm, and the English and Irish Press took up the cry: *Delenda est Maynutia*—Maynooth must be destroyed. How could that be done? Every Protestant became zealous for the holocaust: The laymen, the official visitors, visited and found no cause against the College. The Press and the parsons called for Royal Commissions of Inquiry, and Maynooth professors were brought before their enemies to answer for their words and works. Her foes, lay and apostate, defamed her, they could find her guilty of no crime, teaching good, conduct good, discipline good. It is many years since I read their evidence, and I gloried and rejoiced at their learning, their patience with their torturers. Indeed, I fear that if some of the questions asked had been put to me my *manus* should have touched the *thorax* of the questioners. I should have liked to congratulate their successors in office, whom I saw daily walking in the College parks.

But silence was golden; it was prudent to be silent to them. We never spoke as we passed by. But the faces in the old paintings in the refectory had henceforth a new and great interest for me, waiting for the dean to doff his cap. And the names of that and those dignitaries remind me that I communicated my finding of these Report-on-Maynooth volumes to a *condiscipulus* from Myshall. I told the sad and glorious examinations of the professors of long ago, and that, perhaps, if he could steal a few hours from Gioberti and Comte, Wheatstone's Bridge, Nadir, parallax, apogee, Grim's Law, and the Rebellion of Rienzi, the meek and pious Edward of the library might supply the volumes. He thought and thought, and said: 'If Heaven would send another Royal Commission and take the deans from *morning duty for a few weeks.*' Entrancing reflection, banal and vain. We were philosophers, followers of that great philosopher and practitioner, Sancho Panza, who blessed the man who invented sleep!

In those examinations by law lords, peers, and commoners, the Bishops and Maynooth professors were examined to defend their existence. The questioners, well primed with bitter anti-Papist stuff, examined the witnesses on faith and morals, on any seemingly weak spots in Catholic ethics, ugly facts of history, made uglier; and on doctrines, confession, real presence, vows, loyalty due to Kings, class teaching on sixth and ninth commandments, the marriage debt, the teaching of Maynooth, on thefts, major and minor, Reiffenstuel, Delahogue, Menochius, Maldonatus, Bellarmine, Cabassutius, Devoti, Van Espen, Aquinas—all those great men were wrong in much to the Protestant inquisitors. But nothing was found wrong with the Maynooth teaching or discipline. Nothing to merit censure grave, nothing at all to justify the withdrawal of the annual grant, nor even its diminution.

The bigots blazed. Ireland's woes sprang from Popery. Popery was fostered in Maynooth. Maynooth priests were leading the people, friendly with their flocks, respected and beloved. *Delenda est Maynutia*, became the cry. Walls

were plastered with big placards : 'Murderous Maynooth.' Dublin vomited off three anti-Papist newspapers : *The Christian Irishman*, *The Catholic Layman*, *The Protestant Confederate and Mirror of Truth*. Pulpits and lodges—Black and Orange—shrieked 'Down with Maynooth.' Parsons wrote pamphlets galore. The Presbyterian Minister of Killorglin in Kerry produced a big volume which reached five editions, denouncing Maynooth and its products. The Rector of Dunmanway produced a bigger and more virulent one. Of the tribe, Tom Moore wrote

By geese (we read in history)
 Old Rome was saved from ill,
 And now to quills of geese, we see
 Old Rome indebted still.

Every English town was delighted with strolling preachers denouncing Irish Catholics, Maynooth, its grant, and products. McGhee and O'Sullivan were the star turns ; but McCrea and McNeile were no unwelcome seconds in the orchestra of bigots in crowded halls. Lord Mountcashel, the *Edinburgh Review*, Lords Kenyon and Newcastle also beat the bigot drums for years. And on the floor of the House at Westminster, countless questions were put by the English and Irish martyrs about the tyranny, the oppression, the damnable state of Ireland caused by Maynooth.

Her sins were as scarlet and were related with lies galore, even to the Orangemen of Kent, by a peer. The worm turned. Dr. Crotty, President of Maynooth, replied in a fine pamphlet, and England pitied the lying peer. He was crushed, steamrolled. Dr. Crotty weeded out yearly four weed-students. Some became martyrs, took the pledge, and became parsons. Others drank on and died in spirit. One student was found to be a paid spy in the College ; and in *poculis* wandered into the town of Maynooth and attempted to assault Dr. Whitehead. He was a man of length, breadth, and magnitude. With his servant, he disarmed, belaboured, and expelled the reveller, Mr. O'R., who soon became a parson near Newry. The cause of

each expelled and each censured man was questioned in Parliament.

Now, the bigots cared not a straw what was taught or done in Maynooth. They dreaded her, they saw the lead given by her sons to the oppressed and despondent peasantry. Ireland was at the cross-roads. The problem for Maynooth and her priests was which hand to turn to—whether 'twere better for her to suffer the slings and arrows of outrageous bigotry and be servile, submissive, cowardly, or to take up the cause with their flocks, to lead, to restrain, to guide, to comfort them. Maynooth priests took the right turning. They stood boldly by their people, identified with their struggles for their faith against the soupers, their struggles for their schools against Kildare Street and Whately, their struggles for their homes against the evictors. The people's struggles in misguided ways were set right by Maynooth priests in the Young Ireland and Fenian days. French priests had taken the wrong turnings in the cross roads of revolutions and were alienated. Italy's priests lost their prestige in similar way. But the poor men of young and sturdy Maynooth became heroes, beloved and honoured by their flocks from Fair Head to Mizen Head. And, hence, their scourgings by the lashes of the ignoble herd. Let us hear them.

I entertain no doubt [wrote Inglis, a touring bigot], that the disorders which originate in hatred of Protestantism have been increased by the Maynooth education of the Roman Catholic Priesthood. It is the Maynooth priest who is the agitating priest. [The Protestant lambs never agitate, no never], and if the foreign-educated priest be a more liberal minded man [the Gallican-Jansenist serfs] less a zealot than is consistent with the present spirit of Catholicism in Ireland, straightway an assistant red-hot from Maynooth is appointed to the parish. *In no country in Europe, not even in Spain, is the spirit of Popery so intensely anti-Protestant as in Ireland.*

Bravo! Young Maynooth, with your spirit of Popery!

Let us hear another red hot anti-Popery man—Rev. and Hon. Baptist Noel, in his *Notes of a Short Tour*:—

As I departed from the College grateful [how beautifully he displayed his gratitude] for the polite attention of Dr. Montague [an Armagh priest, Vice-President and founder of St. Brigid's and St. Columba's Houses,

Maynooth College] I could not but reflect with a melancholy interest on the tremendous moral power lodged within the walls of that mean, rough-cast, and whitewashed range of buildings. . . . What a vomiting of fiery zeal for worthless ceremonies and fatal errors. [!] Thence how the priestly deluge issuing in an infant sea or rather like a fiery flood, from its roaring crater, pours over the parishes of Ireland, to repress all spiritual improvement *by their intense Popish teaching*, and their intense cumbrous rites.

The Maynooth priest saw the O'Connell struggle aright, and he was hated by the bigots and his priests loathed. Mr. Wyse, the astute and unimpassioned historian of the Catholic Association, writes: 'The priest cast off altogether the habitual stoop which had so long been the disgraceful destructive of his Order.'¹ But Lecky lies when he writes of O'Connell: 'To make the priests the rulers of the country, and himself the ruler of the priest, was his great object.'² O'Connell had no such aims. Priests were his friends and allies, he was no Czar, he was the Liberator of Ireland and her children. His priest allies were hated and feared. Rev. William Crotty, an apostate priest, wrote: 'To these priests who are busy and active agents of Mr. O'Connell may be imputed the pernicious system of agitation and other numerous calamities that now distract our unfortunate country.'

The men of Young Maynooth were compared with the foreign-educated priests, to the detriment of the Maynooth products. O'Driscoll, a spineless Government Catholic, wrote in his *Views of Ireland* (1820): 'Taken altogether we think that the old clergy of the Catholic Church were a highly respectable body of men. . . . They were *welcome priests at the tables of the gentry*, where they were well qualified to sit and bring a full and overflowing cup to the intellectual banquet.' Were they welcome and frequent guests at gentry tables? No. For Lockhart, who accompanied Sir Walter Scott on his Leinster and Munster tour—Dublin, Edgeworthstown, Limerick, Cork, Blarney—found the gentry, 'superior, narrow, aggressively bigoted, tyrannical,

¹ Wyse, *Historical Sketch of Catholic Association*, vol. i. p. 239.

² *Leaders of Public Opinion in Ireland*, vol. ii. p. 19.

and adds : ' We did not sit at meat with one specimen of the Romish priesthood ; whereas, even at Popish tables we have met dignitaries of the Popish Church.'

The College of Maynooth was written of by the bigots as a den of vice, of anti-social doctrines of disloyalty and anti-scriptural doctrines, and to destroy her, Parliament must withdraw her annual grant from Government funds. She was always shackled by the beggarly grant. If it were withdrawn, Maynooth must die a quick death, unwept, unhonoured, but not unscourged. Twice yearly the Maynooth grant gave Maynooth's foes a chance of venting venom, and hatred, and ill-will. English and Irish Protestants, knights, lords, squires, became voluble and abusive. Lord Mandeville presented in June, 1831, huge ' petitions from Armagh, Aberdeen [where the turnips came from] and other places against the grant to Maynooth, to which the petitioners attributed much of the evils of Ireland.'

Mr. O'Connell replied that he was glad that the noble lord had moved the petitions be printed because he thought there was no little ingenuity requisite to make out the position that the evils of Ireland were attributable to the £9,000 or £11,000 a year granted to Maynooth. However, he perfectly concurred with the petitioners that the grant was an exceptional one.' Note well, tired reader, O'Connell's next sentences : ' Let them make this bargain, which would be fair to both parties : Let the Protestants contribute nothing to the support of the Catholic religion, and on the other hand let the Catholics contribute nothing to the support of the Protestant religion.' There's the rub. Let the Protestants not give a penny of the Maynooth £9,000 grant, and let the Papists not give a penny of the million pounds paid in tithes by them annually to support parsons and heretical churches. *Durus est hic sermo et quis potest eum audire?* The bigots of Ireland raged and roared and wrote at such a proposition, such an exchange. Oh, bitter was the parson's woe. The handwriting on the walls of Church Establishments in Ireland had begun. Gladstone in years to come was to finish the written sentence with a full stop.

Mr. Gordon, M.P., for Dundalk, presented an especially vile and virulent petition against Maynooth's money, signed by twenty ministers and 111 elders of Scotland. Its wording disgusted all shades of bigots. O'Connell waited till the tide of disgust was at full, and then said :

. . . He (Mr. Gordon) had attacked the priests, who he (Mr. O'C.) knew to be exemplary men, most diligent in their attention to the temporal as well as the spiritual wants of their flocks. . . . Yet, these were the men who were calumniated. Three hours each were the Maynooth students employed in reading the Scriptures, and yet the Hon. Member had the hardihood to assert that they did not receive a scriptural education. There had been *strict* examinations into the Maynooth system by the Lord Chancellor and Judges of Ireland, who had made no complaints of the education given at Maynooth. *He (Mr. O'C.) knew the students well*, and could assert that few bodies of young men in any place of education possessed more extensive information than they did.¹

The Protestant lecturers and writers censured the Maynooth students for taking Father Mathew's pledge! They were censured for being brawny, for being swarthy, for having ugly faces and for ugly names! Well, O'Connell said he saw—and we all see—clerical gargoyles, swarthy and ugly with ugly names like Perdu, who are not Papists.

Sir Robert Inglis and Mr. Archdale of Fermanagh handed into the House Petitions from the Protestants of Trory, Drumkeeran, Innismacsaint, York, Lancaster, Southwark, Alcannings, Hamsterley, Deane, Lawston, Merford, Bradford, Quenington, West Alvington, St. Arvan's, Hameringham, Asgarby, Dunkirk, Newton-Torksey, Stoke Golding, Tunstall, Ilton, Penzance (famous for its Pirates), Colsterworth, Manchester, Salford, Sandford, Orcas, Chepstow, Dunford, Eusham, Framfield, and Pemberton—all praying and urging the destruction of Maynooth. Mark, my bored reader, the length of the battle line formed by Press and parsons against poor Maynooth. O'Connell led the little Papist band in Parliament against this mighty barrage.

It is true [he said] that Catholic clergymen had spoken at elections, and seconded the nomination of candidates; for instance, one of them

¹ *Parliamentary Report.*

seconded Mr. Vigors, a Protestant. *Their speeches were printed and published*, it could be seen that they did not deserve the character given them by the Right Honourable Member (Jackson, T.C.D.) as to their inciting to violence. *Were there not many persons in Ireland who would be ready and were exceedingly anxious to prosecute them if they said one word to make them liable?* But their protection was that they carefully avoided violating the law, whilst as men and citizens they exercised that right to which they were entitled.¹

Bravo! Maynooth priests, law-abiding, restraining, yet inspiring. After O'Connell's words the House refused to have the Archdale petitions printed, and the servants removed the papers to suitable places.

Thus was Maynooth attacked, thus was she defended by the Liberator. For years the offensive and the defensive met; the defenders led and guided by O'Connell in his day, won, secured their paltry grant, until a glorious day came when the offensives lost its tithes, Maynooth its grant, and Ireland gained complete religious freedom when Maynooth ceased to be a pensioner.

E. J. QUIGLEY.

¹ *Parliamentary Report.*

CONSIDERATIONS ON THE TRIAL OF JOHN OGILVIE

BY REV. W. E. BROWN, M.A.

III

IN previous articles I have attempted to show that John Ogilvie, who was executed at Glasgow Cross on March 10, 1615, had neither said nor done anything for which the State could justly punish him; and, secondly, that he suffered death because he was a Catholic. So far the enquiry has been merely historical; but we should be passing beyond the bounds of that science if we concluded that he was, therefore, a martyr of the Catholic Church. In the first place it belongs to the Catholic Church, and to her alone, to define what constitutes martyrdom in her cause, and to decide when it has been incurred. She gives to her martyrs an honour which is not of this world, and human science alone is, therefore, incompetent to judge with certainty when that honour has been earned. Only the decree of the Catholic Church (I am assuming the truth of her claim, for unless one does so the enquiry is meaningless) can tell us without fear of error who are or who are not martyrs. Subject to such a decree we can, however, form an opinion on the subject, but it must be based not merely on the historical facts, but on what the Church teaches concerning martyrdom. So in the second place the question: 'Was John Ogilvie a martyr?' must be approached not only with the condition that any conclusion is subject to the final decree of the Church, but also in the light of dogmatic teaching. For us to-day the Catholic doctrine of martyrdom is most conveniently and authoritatively contained in the great work of Benedict XIV, *De servorum Dei beatificatione et beatorum canonizatione*. It is not infallible, nor does it

possess the authority, for instance, of the *Codex Juris Canonici*. But it is the work of a great theologian; it has been accepted as the norm of many judgments in the past century, and it is commonly received throughout the Church.

In the 19th chapter of the 3rd book of his great work, Benedict XIV lays down the principle that a martyr is a man who dies for one cause and one cause only, namely the faith, whether it be of things to be believed or of things to be done. He explains this principle in the rest of the chapter, and he proceeds to show that a man who dies for a truth which he proves by natural reason, or for a truth which he has received by private revelation from God, or even for a truth which the Church has not yet defined, though it is contained in her tradition, is not thereby a martyr. So in particular he points out that, in his time, if a man were to die for the doctrine of the Immaculate Conception (which had not then been defined) he would not thereby become a martyr. It seems at first sight a very hard distinction. Undoubtedly that doctrine was contained in the tradition of the Church, and was therefore a truth of revelation, although it was not then defined. A man who proclaimed it as true would be asserting the truth, would be a good Catholic, would be without crime before any court of the world; yet, if he were put to death then, simply for that assertion, he would not have been a martyr. We should accept this first because it is a principle approved by Benedict XIV; but a little consideration enables one to see that it is based on a sound reason. A martyr is not merely a soldier of the Church, and must not, therefore, be judged according as he strives for the victory of the Church over the world; a martyr must be more than that—he must be a witness to the truth, not to any truth, but to those truths which the Church sets forth for the acceptance of Christians. Just as an upright witness in ordinary transactions must limit himself to those things which he has seen and heard, which he has received through his senses, so a witness in the Church's cause must limit himself

to these things which he has received from the revelation of which the Church is the exponent as well as the guardian. A martyr then must hold his pious opinions, even if he is convinced that they belong to Christian tradition, subject to the eventual decision of the Church and in no other way. If he dies for them apart from this condition he is intruding his own judgment into the cause of death. Here, indeed, is the psychological difference between Catholic martyrs and those who died for Protestantism. The latter may have died bravely, unjustly, may even have died for a true opinion; but even so they died for a truth because they believed it, while the Catholic martyrs died for a truth because the Church, which has divine authority, taught it.

These considerations must be applied to the case of John Ogilvie. He was put to death, first, because he upheld the spiritual authority of the Pope over all Christians. That authority had been defined in the second Council of Lyons: '*Ipsa quoque sancta Romana Ecclesia summum et plenum primatum et principatum super universam Ecclesiam Catholicam obtinet.*' It had been defined again in the Council of Florence: '*Item diffinimus sanctam Apostolicam Sedem et Romanum Pontificem in universum orbem tenere primatum et ipsum Pontificem Romanum successorum esse beati Petri principis Apostolorum et verum Christi vicarium, totiusque Ecclesiae caput et omnium Christianorum patrem ac doctorem existere; et ipsi in beato Petro pascendi regendi et gubernandi universalem ecclesiam a Domino nostro Jesu Christo plenam potestatem traditam esse.*'

Ogilvie was sentenced to death, in the second place, because he refused to state his opinion as to the scope of the Pope's power in temporal matters, except to the Pope or his representative. I must insist again that this was the exact nature of the charge: he was not sentenced for maintaining the indirect power of the Pope over the King, but for refusing to make a statement either way. It is clear then that this charge lies outside Benedict XIV's

analysis, as far as we have hitherto considered it. Ogilvie was not maintaining a pious opinion, nor a defined truth, nor, in fact, any opinion at all. His action belongs to a different order of things; it was a question, not of what a Catholic must profess, but of how he must behave. This seems to be the meaning of the second part of Benedict's definition, 'the faith of those things which must be done.' Later on in this chapter¹ he gives as two instances the case of silversmiths who were put to death for refusing to make idols for pagan worship, and that of virgins who were put to death for refusing to marry. He concludes that, despite the fact that there were no definitions on these subjects, 'Everyone must see that those who refused to make idols are rightly reckoned martyrs, and that the virgins who died to preserve their virginity are rightly included in the same class. These, indeed, died to preserve a virginity vowed to God, or to resist the error of those who condemned virginity. . . . Those suffered death that they might not co-operate in the sin of idolatry.'

Benedict XIV allows, therefore, that martyrdom may be incurred for what he calls the practical truths of faith,² for some act of Christian virtue or because they detest some sin. On this ground I think that the attitude of Ogilvie to the second charge against him falls within the analysis of Benedict XIV. The extent of the Pope's power was being disputed at the moment, and James VI was trying to extract from Catholics a declaration that it was circumscribed in various ways, whatever the Pope might teach on the subject. Loyalty to the Holy See, a virtue incumbent on all Catholics, required them to maintain that the decision as to the extent of the papal power could be decided only by the Church. As Ogilvie said in his trial, he would not answer the question of his judges lest he should seem to acknowledge that they had spiritual jurisdiction, i.e., power to decide on matters which belonged to the Church.

The case of the oaths of supremacy and allegiance is

¹ Op. cit. iii, 19, 13 and 14.

² Op. cit. iii, 19, 8.

similar. The third charge against Ogilvie was that he had freely and deliberately condemned these oaths. It is quite clear that a loyal Catholic could not take them. The Oath of Supremacy denied to the Pope any spiritual authority over Englishmen. The Oath of Allegiance required Catholics to declare heretical and to renounce various doctrines concerning the extent of the Papal authority—doctrines about which the Pope had made no explicit pronouncement, but which were certainly taught by many Catholic theologians. The oath was, further, a part of the legislation by which James VI was deliberately trying to repress the spread and even the continuance of Catholicism in England. Finally, and most important, Pope Paul V had declared in two briefs that the oath contained many things contrary to Catholic doctrine. A Catholic could not, therefore, take these oaths; but was he bound to condemn them unasked? As a general rule one would suppose he was not required to do so; in the circumstances in which Ogilvie was placed it is difficult to see how he would have been loyal to the Holy See had he remained silent. The questions of the judges had turned on the power of the Pope in regard to the Civil State, and, because nothing was defined, Ogilvie had refused to answer, save to the Pope or his representative. But this answer left in doubt his willingness to obey the Pope, i.e., his loyalty, whatever might happen. Only one positive step had been taken by the supreme authority of the Catholic Church; Paul V had condemned the oath which embodied the doctrine of James VI. It was, therefore, only the act of a loyal man, of a witness to the practical truth of Catholic obedience, to profess adherence to that condemnation.

As far then as Ogilvie himself was concerned, the cause of his death was, first, the profession of a defined doctrine of the Catholic faith, and secondly, acts of loyalty to the Holy See. Even if we said that the voluntary condemnation of the oath of allegiance was not strictly required of him, his case would, I think, still come within the analysis of Benedict XIV. He had not maintained as true any

opinion which was merely an opinion; he had not done anything which was unbecoming to a Catholic, and on one point he had definitely asserted what was defined Catholic doctrine. The great Pope does not, so far as I can discover, discuss a case where these elements are combined; yet their combination was forced on Ogilvie at the trial, since a prisoner cannot choose what charges shall be brought against him. When the indictment was read at Glasgow on March 10, 1615, Ogilvie had already made these statements, which any Catholic could rightly make. He was bound to defend the spiritual supremacy, and he did so; he could not admit the right of the State to define the Papal jurisdiction, so he refused to answer his judges on the further questions; he could not withdraw his condemnation of the oaths of supremacy and allegiance without seeming disloyal to the Holy See.

Nor does the question of the attitude of the judges affect the issue. It may be that they intended the oath of allegiance as a mere civil precaution. But they were seeking to obtain from Ogilvie, as a Catholic, a declaration objectively opposed to the power and liberty of the Church. Such an attitude is sufficient, according to Benedict XIV,¹ to justify us in calling them persecutors. So, neither on the part of the judges, nor on the part of Ogilvie, does there seem to be anything lacking to bring his case within the limits laid down by Benedict XIV. But in this question, as I said at first, we must submit entirely to the eventual decision of the Church.

W. E. BROWN.

¹ Op. cit. iii. 13, 3.

NOTES AND QUERIES

THEOLOGY

OBLIGATIONS OF JUDGES AT AGRICULTURAL SHOWS

REV. DEAR SIR,—I hope you will not consider me contentious, if I venture to put before you the following view of Noldin's distinction of Shows in the paragraph quoted in last month's I. E. RECORD.

Considering the passage, particularly in connexion with what immediately precedes and follows in his text, it might seem that the author was distinguishing, not between competitive and non-competitive Shows, but between competitive Shows in which the good of the competitor is primarily intended, and competitive Shows in which the common good is principally in view. In the latter, loss to the best competitor follows only *per accidens* and, consequently, there is not an obligation of restitution; but because of the competitive element, distributive justice is violated.

Lehmkuhl (vol. i. n. 1161) says: 'Signum quo concludi possit damnum tertii per accidens sequi, est, si is qui tertio illi emolumentum collaturus erat, hoc non intendit principaliter eo fine ut tertius ille ditesceret'; and has (n. 1159, note): 'Cum utilitas contententium secundario tantum respiciatur non (est) certum erga eos obligationem justitiæ commutativæ contrahi.'

Hence, my question, if the opinion, releasing from restitution where injustice is committed in these Shows, is solidly probable.

I will be grateful for your opinion on the above.

C. I. S.

We are glad our correspondent has returned to this question. Perhaps it deserves fuller consideration than we gave to it in the April number of the I. E. RECORD (page 401). The question, readers may remember, was: If a judge at an Agricultural Show dishonestly awards first prize to an inferior animal, is he bound to restitution to the owner of the better animal he has rejected? We were asked if there was a probable opinion exempting him from restitution on the ground that two kinds of Shows may be distinguished: one embracing a competitive element; the other being a means to promote better production and, therefore, the common good. We replied that, in our opinion, Agricultural Shows could not be put into one or other of these classes. At one and the same time they were intended for the promotion of the common good, and they included competitions. These competitions, we submitted, involved a quasi-contract, binding in strict justice.

Our correspondent now asks us to consider the quotation from Noldin, in which the distinction just referred to is made, in connexion with its context. We did not omit to do so on the occasion of our previous reply.

We have done so again ; but we cannot see any ground for altering the opinion we have already expressed. For clearness sake, let us set down the whole context for the benefit of our readers. Noldin is discussing the obligation of restitution arising from an injurious action. The first condition is that the action must be really against strict justice. He applies this principle to a number of cases, the fourth of which is as follows :—

‘Iniquus officiorum vel beneficiorum distributor iustitiam commutativam laedit erga personas privatas quae ius strictum ad officium vel beneficium consecutae sunt. Illud autem consequuntur, ubi proponitur concursus et sub condicione onerosa promittitur electum iri digniorem. Eiusmodi est concursus, qui ea condicione proponitur, ut determinatum praemium accipiat, qui opus optimum perfecerit vel rem optimam exposuerit.

‘Quoad obligationem restitutionis, quae occasione diversarum expositionum, quae hodie fiunt : machinarum, equorum, fructuum, florum, etc., ad hoc imprimis attendendum est, utrum expositio habeat rationem concursus, an rationem medii ad rerum culturam ideoque bonum commune promovendum.

‘In *priore casu* ius ad praemium (primum) acquirit qui rem optimam exponit, et proinde ad restitutionem ipsi faciendam tenetur, qui efficit, ne praemium ei adiudicetur. In *altero casu* ius strictum ad praemium nemo habet. Qui ergo causa est, cur praemium ei non tribuatur, cui ratione rei expositae convenit, contra iustitiam distributivam peccat, ad reparationem damni autem non tenetur.’¹

Noldin then goes on to consider the special case of the concursus for an ecclesiastical benefice.

With those words before us we are unable to agree with our correspondent’s interpretation, that Noldin distinguishes ‘not between competitive and non-competitive Shows, but between competitive Shows in which the good of the competitor is primarily intended and competitive Shows in which the common good is principally in view.’ Consider the leading paragraph of the extract. ‘There is strict injustice, Noldin says, when the more worthy candidate is passed over ‘ubi proponitur concursus et sub condicione onerosa promittitur electum iri digniorem.’ And he adds : ‘Of such a kind is the *concurus* or competition which is held on the understanding that the individual who does the best performance or shows the best exhibit shall receive a stipulated prize.’ We ask our esteemed correspondent to concentrate his attention most particularly on this latter sentence.

Now for the Shows, of machinery, horses, fruit, flowers, etc. They may, Noldin says, have a *ratio concursus*, or they may not. In the former case, there is strict injustice if prizes are not awarded according to merit ; in the latter there is not.

As we said before, we are in complete agreement with all this. We cannot see any possible objection to it. But we may question whether

¹ Noldin, *De Praeceptis*, n. 454.

our Agricultural Shows belong to this second class that has not the *ratio concursus*. We are absolutely certain that they do not. As we write we have before us the Catalogue of an important Agricultural Show held recently. Prizes are assigned to each class of exhibit. Their value is stated. Who will say that here you have not a 'concurus, qui ea conditione proponitur, ut determinatum præmium accipiat, qui opus optimum perfecerit vel rem optimam exposuerit'? If there really are Shows which have not a *ratio concursus* this is not one of them, and we have no knowledge or experience of them.

If you divide sheep into two classes, black and white, it is obvious that if there are black sheep among the white your division is bad. If you divide Shows into two classes, those which have a *ratio concursus* and others, it must be equally obvious that those others have not a *ratio concursus*. If they have, it is a bad division, just as bad as if you divide sheep into black and those which have no horns.

Our correspondent continues with two short quotations from Lehmkuhl. The first one has nothing to do with our main question. If A fraudulently deters B from conferring a benefit on C, Lehmkuhl seeks to determine A's liability to restitution by inquiring whether the loss to C follows *per se* or *per accidens* from A's interference. You may infer, he says, that the loss to C is only an accidental consequence of A's action if B's principal purpose was not to enrich C. But here there is question of a totally gratuitous benefit to C, not one to which C has any antecedent right.

The second quotation is more to the point, even if we attach as little value to the argument it contains as Lehmkuhl himself does. It is found in the learned author's discussion of injustice committed in the conferring of ecclesiastical benefices. When there is a *strict* or special, as distinguished from a general *concurus*, by far the more common opinion, he says, has it that if a more worthy candidate is passed over, in favour of one less worthy, the former suffers a strict injustice. The main reason is that there is an implicit contract with the candidates binding the Superior to confer the vacant benefice on the most successful. 'Now, this onerous contract binds in strict justice, just as in any contest the victor has a strict right to the pre-determined award.' Those who defend the milder view—that there is no violation of strict justice—urge that the *concurus* for a benefice is not quite on a par with the ordinary type of contest or competition, for in the latter case the good of the competitors is the primary consideration, whereas, in the former it is the welfare of the Church that is principally in view. Therefore, they conclude: 'Cum utilitas contententium secundario tantum respiciatur, non est certum, erga eos obligationem iustitiæ commutativæ contrahi.'

This and the other arguments employed by 'those who favour the more lax view' make no appeal to Lehmkuhl.¹ But we are not just now concerned with the merits of the controversy in regard to benefices. What we wish to emphasize is that both sides in the dispute assume

¹ 'Haec sunt, quibus laxioris opinionis fautores alteram sententiam impugnare et dubiam reddere conantur. Num satis feliciter, alii viderint. Mihi quidem non adeo firma, sed debiliora esse videntur.'—Loc. cit.

as indisputable—that in the usual type of competition, in which prizes are offered, the winner has a strict right to the prize by virtue of an implied contract binding in strict justice.¹ If, therefore, we propose to hold that in a given competition the winner, best performer, owner of the best exhibit, has not a strict right to the first prize, we may do so only on the ground that this competition is not of the usual type. How are we to establish this? Only, it seems to us, if we can assure ourselves that the competition involves no quasi-contract. It is futile, to our way of thinking, to look for support to a distinction between competitions primarily intended for the good of the competitors and those which are principally concerned with the common good. Such a distinction would prove altogether too much. For example, it may be reasonable to argue that race-course executives do not exist primarily for the purpose of endowing the owners of winning horses. Their chief *raison d'être* is to provide sport for the public, to improve the breed of horses (the common good), and to secure profit for themselves (the private good). But if they withhold prize-money from owners who have won it fairly and squarely will anyone excuse them from the obligation of restitution?

We hope we have not made confusion worse confounded in our endeavour to follow the lines indicated in our correspondent's letter. Our conclusion is the same as before. Agricultural Shows, as we know them, involve competitions. These competitions involve quasi-contracts, binding in strict justice. We can see no ground for any sort of probable opinion exempting dishonest judges from the obligation of restitution.

A DIOCESAN LAW AND THE NECESSITY OF PRESENTING A 'CELEBRET'

REV. DEAR SIR,—Would you be so kind as to arbitrate in the following friendly dispute. I shall put the matter as impersonally as I can. Father A, in the course of a journey, stops for the night in a certain town (out of his own diocese). Next morning he makes for the nearest parochial church to celebrate Mass. The local rector knows him, has often met him before; but regrets that, unfortunately, he cannot allow him to say Mass, as he has got no *celebret*. He says there is a diocesan law which admits of no exceptions. Father A swallows his disappointment and goes on his way, ruminating the while on this very drastic diocesan law. On his return home he consults the Code, and thinks that he has a real grievance. Is this diocesan law *ultra vires*? The Code (canon 804) says that if a priest has not a letter of recommendation from his Ordinary, but is known to the rector of the church as an upright man, *he may be admitted*. Now, if the general law of the Church says he may be admitted, what is the force of a mere diocesan law which says that he may not? That such a diocesan law has no force is the opinion of

URBANUS.

We are in full agreement with 'Urbanus' when he declares that this

¹ Cf. St. Alphonsus, *Theol. Mor.*, lib. iv. n. 109.

particular diocesan law has no force, in so far as it denies a liberty positively permitted by the general law.¹ But he has scarcely sufficient grounds for a 'real grievance,' seeing that the general law does not give him any positive right. It states simply that he *may* be admitted; not that he *must*, as when he presents a proper *celebret*.

RESTITUTION—AN EXCUSING CLAUSE

REV. DEAR SIR,—A person is excused from making restitution—or at least he is justified in postponing it—if he cannot pay his debts, and at the same time maintain his status in life becomingly. How is one to limit the application of this principle? To give an instance: A man in humble circumstances acquires a considerable fortune, and with it expensive habits. But untoward circumstances deprive him of most of his wealth, without any great fault of his own. Living in hope, he endeavours to maintain his usual style. He borrows money, and does not see his way to meet many of his liabilities. May he claim, if I may so speak, the protection of the Act?

VIGILANT.

We fear that the principle, as stated by 'Vigilant,' is somewhat too liberal; liberal, that is, to those who would like to live well at the expense of others. St. Alphonsus puts it thus: 'Pariter excusabitur debitor, si restituendo decisurus sit e suo statu iuste acquisito, ita ut in gravem necessitatem incidere debeat.'² Thus, to give some favourite examples of the theologians, a nobleman might defer restitution if he were obliged to dispense with his servants and equipage; a leading citizen, if he were compelled to adopt an unaccustomed menial calling; a mechanic, if he were forced to sell the necessary tools of his trade. We do not see that we can include the individual described by our correspondent under any such heading. We are not told that he will be reduced to grave need: he had been accustomed in the past to humbler ways, and it would be no untold hardship for him to return to them. Again, we may question whether a certain status has been justly acquired if it is maintained only on credit. It would rather seem that a lowering of such status is imperatively demanded.

P. O'NEILL.

¹ 'Normae ab Ordinario loci datae, quae opponantur praescriptis cit. canonis (804) sunt ipso iure nullae ac irritae. Quare Episcopus praecipere nequit ut ii tantum sacerdotes ad Missae celebrationem admittantur, qui habeant litteras commendatitias.'—Cappello, *De Sacr.*, i. n. 737.

² *Theol. Mor.*, lib. iii. n. 702.

CANON LAW

THE TIME WITHIN WHICH MANUAL MASSES MUST
BE CELEBRATED

REV. DEAR SIR,—I should be very much obliged if you would answer through the I. E. RECORD the following very practical question: Within what period of time must manual Masses be said when the donor makes no stipulation as to time of fulfilment, etc.? The case I contemplate is of the following kind:—

A comes to Father B and hands him a stipend for a Mass, and simply says: 'Please, Father, say a Mass for my intention.' The question I wish answered is this: within what period of time must this Mass be said? Canon 834, § 2, 2°, considers this case, and lays down that such a Mass must be said *intra modicum tempus*; but what exactly is the meaning of this phrase? The authors I have consulted are not unanimous in their decisions. Genicot (ii. sect. 230), Ferreres (ii. p. 286), Tanquerey (I cannot give exact reference), Noldin (*De Sacramentis*, p. 218), Capello (*De Sacramentis*, i. p. 548), Augustine (*Commentary on Canon Law*, iv. p. 198, n. 2), hold that such a Mass must be said within one month. On the other hand we find theologians and canonists of equal repute holding that such Masses need not be said within one month. Vermeersch says that the words of the Code *may* be understood in accordance with the rules of the decree *Ut Debita*; but he does not say that they *must* be so understood (*Epitome* ii. p. 54). Blat holds that the phrase 'within a month' is a directive counsel, but not a preceptive interpretation of the words *intra modicum tempus* of canon 834, § 2, n. 2 (ii. pars. 1, p. 159). Prümmer (iii. p. 187) even goes so far as to say that the old law has been abrogated, and that a priest is no longer bound in conscience to say one Mass within a month or a hundred Masses within six months. Dr. Keller (*Mass Stipends*, p. 131) holds that this opinion is a probable one, and may be followed in practical life, and his argument is that the silence of the Code is positive, not negative. 'In other words,' he continues, 'the phrase "within a short time" has been officially interpreted to mean within a month, and still the compiler of the Code uses the vague expression *intra modicum tempus* in preference to the more precise phrase, *inframensem*. Consequently, the author of canon 834 presumably omitted the latter phrase intentionally in order to deprive the old decree of its binding force, and to relax the vigor of the antiquated regulation' (p. 131). See also pp. 132, 148, 177, of this treatise. Inidel (*Dictionary of Canon Law*, p. 214) and Laurent Dolphin (*Busy Pastor's Guide*, p. 159, n. 686) incline also to this view.

Theologians and canonists thus seem to be fairly divided on the question, and in view of this divergence of opinion I should be obliged to have your esteemed opinion on the matter in question.

NEO SACERDOS PERPLEXUS.

We congratulate our correspondent on the efforts which he has made to obtain a solution of his difficulty, and we sympathize with him in the results achieved; the differences of opinion amongst the commentators are certainly rather confusing. We sincerely hope that the effect of our remarks on the question will not be to add still further to the confusion.

For the interpretation of *modicum tempus* of canon 834, a brief historical retrospect is, it seems to us, necessary or, at least, very desirable. These words are not an innovation of the Code in this department of ecclesiastical law. Prior to the publication of the decree *Ut debita* the discipline also was that manual Masses should be celebrated *infra modicum tempus*. This teaching, or at least its expression in this precise form, was based on an interpretation by the Congregation of the Council, given in 1697, of the following prohibition contained in a decree issued by the same Congregation in 1625: 'Eleemosynas vero manuales et quotidianas pro Missis celebrandis ita demum iidem accipere possint, si oneribus antea impositis ita satisfecerint, ut nova quoque onera suscipere valeant, alioquin omnino ab hujusmodi elemosynis, etiam sponte oblatis, in futurum recipiendis.'¹

To the query: 'Whether this decree forbids absolutely those who have not satisfied stipends already received to accept new ones, and what, if they can satisfy all within a suitable time,' the Congregation gave the following reply: 'Non prohibere absolute; ac propterea, etsi oneribus jam susceptis non satisfecerint, posse tamen nova etiam onera suscipere missarum celebrandarum, dummodo *infra modicum tempus* possint omnibus satisfacere.'²

As might be expected, doubts arose as to the meaning of *modicum tempus*; and hence, in 1755, a number of Regular Superiors asked the Holy See for an interpretation. The Congregation of the Council declared that: '*Modicum tempus* intelligi *infra mensem*.'³ Most commentators, however, considered that this decision applied only to religious communities, in which, on account of the number of priests available, Mass obligations could be discharged without difficulty.⁴ According to the writers who took up this attitude, where individual priests were concerned, a distinction should be drawn between Masses for the living and Masses for the dead. In the latter case, on account of the greater urgency, *modicum tempus* meant a period of one month, whereas when

¹ Cf. Many, *De Missa*, n. 50; Gasparri, *De Sanctissima Eucharistia*, n. 569.

² Many, loc. cit.; Gasparri, loc. cit.

³ Benedictus XIV, *Inst. Eccl.* lvi. n. 14.

⁴ Many, loc. cit.; St. Alph., *Theol. Mor.*, lib. vi. n. 317; D'Annibale, ed. 3,

Masses for the living were in question, the time could be extended to two months.

Although this was the common view in regard to the significance of *modicum tempus*, not a few writers, and amongst them such an authority as Gasparri,¹ held that the decision of 1755 applied universally, and that in all cases *modicum tempus* meant a period of one month. Of course, in all this discussion there was question of one Mass or of a few Masses; when a number of Masses were involved, all held that the time should be proportionately extended.²

Such, then, was the state of opinion on this matter when the *Ut debita* was published in 1904.

In regard to the time within which manual Masses were to be celebrated this decree contained the following well-known regulation: 'Utile tempus ad manualium missarum obligationes implendas esse mensem pro missa una, semestre pro centum missis, et aliud longius vel brevius temporis spatium plus minusve, juxta majorem vel minorem numerum missarum.'

In the circumstances which we have detailed, this paragraph can be regarded as nothing more than an authentic declaration of the significance of *modicum tempus*, and the adoption, with somewhat more detail, of the view of Gasparri and the others who held that the decision of 1755 applied universally.

Hence, it can be truly said that, even after the publication of the *Ut debita*, the discipline was that manual Masses should be said *intra modicum tempus*, and that this decree merely settled authoritatively the implications of these words.

Accordingly, canon 834, § 2, 2°, in declaring that: 'In other cases (i.e., other than those already dealt with) Masses should be celebrated *intra modicum tempus* in accordance with the greater or lesser number of Masses,' is merely embodying the old discipline in its entirety, without, however, its detailed implications as authentically declared in the *Ut debita*. We may remark, indeed, that this is the usual procedure in the Code, as anyone who reads it may see; a body of laws such as the Code must confine itself for the most part to general principles; detailed applications would render it cumbrous and unwieldy. This then is clearly a case for the application of canon 6, 2°: 'Canones qui jus vetus ex integro referunt, ex veteris juris auctoritate . . . sunt aestimandi.' Hence, the authoritative explanations of *modicum tempus* under the old discipline must still be adhered to in the new. We are, therefore, of opinion that the periods of time fixed in the *Ut debita* for the celebration of manual Masses are still preceptive by reason of their being embodied, as explained, in canon 834, § 2, 2°.

¹ Op. cit., n. 592.

² Cf. Many, loc. cit.—'Verum id intelligitur de paucis Missis; si enim idem fidelis det eidem sacerdoti 90 Missas, clarum est non posse eas celebrari tam brevi tempore; in hoc casu, si agatur de Missis *pro vivis*, pro quibus conceditur dilatio bimestris, satisfiet intentioni fidelium, si intra quinque circiter menses celebrentur 90 Missae.'

A DECREE OF THE HOLY SEE ON THE ORGANIZATION AND PROMOTION OF DANCES BY THE CLERGY

REV. DEAR SIR,—I have heard it stated with great confidence that a decree was published by the Holy See some years ago, which forbade priests absolutely to organize or promote dances of any kind whatever. Would you kindly say in the I. E. RECORD whether this is true or not? If it is, it would solve a question which the Maynooth Statutes seem to have left doubtful—at least the differences of opinion and of practice amongst the clergy in regard to the organization and promotion of dances lead one to the conclusion that it has been left doubtful.

SACERDOS.

The only decree of this nature of which we have any knowledge is one issued by the Consistorial Congregation in March, 1916.¹ Its title, 'Circa quasdam choreas in Statibus Foederatis Americae Septentrionalis et in Regione Canadensi' indicates clearly that it concerns only the United States of America and Canada; and this is amply borne out also by the terms of the decree itself. But, although the decree does not directly affect this country, yet it shows the attitude of the Holy See towards the organization and promotion of dances by the clergy in circumstances that have a good deal of similarity to our own; and, accordingly, a summary of its main features cannot fail to be of interest to 'Sacerdos,' and to our readers generally.

In the preamble it is related how during the nineteenth century there grew up a practice of bringing together Catholic families to dances, which were continued until a late hour at night, and which were accompanied by a good deal of conviviality. The purpose of the practice was twofold: the promotion of mutual knowledge and love amongst the Catholics themselves, and the procuring of funds for religious or pious purposes. Not infrequently the local rector or parish priest was responsible for the promotion and organization of these functions and, when this was the case, he also presided at their celebration. As might be expected, abuses soon arose; and hence, as early as 1884 the Fathers of the Third Plenary Synod of Baltimore found themselves constrained to embody in their legislation the following command to their priests: 'Mandamus quoque ut sacerdotes illum abusum, quo convivia parantur cum choreis (balls) ad opera pia promovenda, omnino tollendum curent.'² Whatever success this regulation may have had in the period immediately subsequent to its issue was of a merely temporary character; the practice with its abuses was not merely revived, it even spread into the neighbouring country of Canada.

In these circumstances the intervention of the Holy See was invoked; and the Consistorial Congregation, which dealt with the matter, not merely confirmed the Baltimore legislation, but furthermore decreed: 'That

¹ A. A. *Sedis*, 1916, p. 147.

² N. 290.

all priests, whether secular or regular, and other ecclesiastics are absolutely forbidden to promote and foster the aforesaid dances, although they are for the relief and support of pious works, or for any other pious purpose whatever; and that besides all ecclesiastics are forbidden to be present at these dances, if perchance they are got up by laymen.'

In December, 1917, the Consistorial Congregation gave an interpretation of this decree.¹ A certain Ordinary of the United States asked for a reply to the following query: 'Whether the dances, with which the decree of the Consistorial Congregation of the 31st March, 1916, is concerned, and which the same Congregation proscribed, are sometimes lawful, or are they included in the reprobation, if they take place during the daytime, or only in the early hours of the night, and are not continued too long, or even if they are carried out without banquets or in that form which is commonly called "Pic-nic." The Congregation replied: 'That they are included in the reprobation; and that, consequently, all ecclesiastics are forbidden to promote or encourage them in the aforesaid circumstances, and are forbidden to be present at them if they are promoted by others.'

As we have already stated this decree and the subsequent interpretation of it directly affect only the United States and Canada. They show, however, that the Holy See is opposed to the organization of dances by the clergy, even in circumstances in which all abuses seem to be eliminated, and in this way they cannot fail indirectly to influence the attitude towards this matter in other countries.

In regard to the statutes of the Maynooth Synod on this subject, we are aware, indeed, of the differences of interpretation, both theoretical and practical, to which our correspondent refers; but we never have had any doubts ourselves that they forbade priests to organize and promote dances of any kind whatever, not merely those which are of an immodest character. This should be evident, we think, to anyone who notes the gradation in the following statutes:—

'N. 320. Omnibus sacerdotibus tam saecularibus quam regularibus qui in ministerio animarum versantur injungimus ut saltationes modestiae Christianae repugnantes pro viribus impedian. Et sciant confessarii se suo muneri non satisfacere, si ullo modo, aut sub ullo praetextu, eas permittant aut excusent.

'N. 321. Ne permittant clerici saltationes in ullo aedificio sub eorum tutela posito ubi potus immoderate distribuitur, vel ubi, senioribus absentibus, utriusque sexus juvenes congregantur.

'N. 179. Choras et saltationes tam publicas quam privatas clerici omnino fugiant, nec eas instituant, nec ullo modo promoveant.'

This is quite enough for the present on the organization of dances by the clergy; the new statutes will be promulgated a few months hence, and then we may have occasion to deal with the matter again.

¹ *A. A. Sedis*, 1918, p. 17.

THE MEANING OF 'ORDINARIUS' IN CONNEXION WITH ADMINISTRATIVE REMOVAL AND SUSPENSION 'EX INFORMATA CONSCIENTIA'

REV. DEAR SIR,—In the canons dealing with the administrative removal of parish priests the Ordinary is mentioned as the competent Superior. The same is also true of the canons on suspension *ex informata conscientia*. Would you kindly say whether in both cases the term 'Ordinary' includes a Vicar-General who has only an ordinary mandate? I should be obliged for an answer in the I. E. RECORD.

VICARIUS.

We shall deal first with administrative removal. Under the *Maxima Cura* the term 'Ordinary' certainly did not include a Vicar-General who had merely an ordinary mandate; canon 32 of this decree was quite explicit on the point: 'Ordinarii nomine pro omnibus quae in hoc titulo statuuntur non venit Vicarius Generalis, nisi speciali mandato ad hoc sit munitus.'

Is the same thing still true under the new discipline? We are of opinion that it is not. According to canon 198, § 1, the term 'Ordinary' in law embraces a Vicar-General, unless an express exception is made to the contrary;¹ and in the canons dealing with administrative removal, no such exception is to be found. Again, canon 368, § 1, states that the Vicar-General has all the ordinary jurisdiction of the Bishop in spiritual and temporal affairs throughout the entire diocese, with the exception of those matters which the Bishop has reserved to himself, or which by law require a special mandate;² there is no mention whatever of the need of any such mandate in order that a Vicar-General may administratively remove a parish priest. Hence, we consider that the term 'Ordinary,' in connexion with administrative removal, includes a Vicar-General who has only an ordinary mandate. Of course, if a Bishop reserves to himself administrative removal, either generally or in a particular, the Vicar-General's jurisdiction is thereby restricted, as is expressly stated in canon 368, § 1.

In regard to suspension *ex informata conscientia*, a new factor has to be considered. Administrative removal is not a punishment; its purpose is to make provision for the well-being of the parish, and its cause is some fact, criminal or non-criminal, which renders the parish priest's ministry harmful or useless. On the other hand, suspension *ex informata conscientia* is a punishment, and its cause must always be a crime.

¹ 'In jure nomine *Ordinarii* intelliguntur, nisi quis expresse excipiatur, praeter Romanum Pontificem, pro suo quisque territorio Episcopus residentialis, Abbas vel Praelatus *nullius* eorumque Vicarius Generalis, etc.'

² 'Vicario Generali, vi officii, ea competit in universa dioecesi jurisdictione in spiritualibus ac temporalibus, quae ad Episcopum jure ordinario pertinet, exceptis iis quae Episcopus sibi reservaverit, vel quae ex jure requirant speciale Episcopi mandatum.'

Now, canon 2220, § 2, declares that a Vicar-General without a special mandate has not the power of inflicting punishments¹; and, therefore, we are of opinion that the term 'Ordinary' in the canons dealing with suspension *ex informata conscientia* does not include a Vicar-General who has only a general mandate.

THE WESTMINSTER STATUTE REGARDING ATTENDANCE AT THEATRES

REV. DEAR SIR.—There is a question in the May issue of the I. E. RECORD *re* attendance at theatres; perhaps, the following quotations are *ad rem* as far as England is concerned:—

Westminster Synod I. Decretum xxiv. 2: 'Prohibemus districtè, ne ecclesiastici sacris ordinibus initiati scenicis spectaculis in publicis theatris intersint, imponentes transgressoribus poenam suspensionis ipso facto incurrendam.'

Westminster Synod IV. Decretum xi. 9: This repeats the preceding regulation; but inserts after *publicis theatris* the phrase, *vel in locis theatri publici usui ad tempus inservientibus*.

This latter statute was made in 1873. The Seventh Liverpool Synod, held October 2, 1868: "'Theatri" nomine, omnes conventus publici locos includi asseruit' (episcopus).

Letter of Bishop of Liverpool *ad Clerum*, dated July 17, 1890, *re* Low Week Meeting of Bishops of 1890: 'The Bishops, who were asked for an official interpretation of the Clause *Scenicis . . . inservientibus*, declared that plays performed by school children, even those to which the public are admitted by payment, were not included in the Synodal prohibition; that amateur theatricals performed by others than school children, even for the benefit of charity, in a public hall, whether licensed or unlicensed, or even in a school, came under the laws.'

This interpretation does not seem to get practical recognition—perhaps, it is a dead letter; still it is in black and white, quite plainly.

J. M.

For the convenience of our readers we shall quote in its entirety the statute of the Fourth Synod of Westminster: 'Prohibemus, insuper districtè ne ecclesiastici sacris ordinibus initiati scenicis spectaculis in publicis theatris, vel in locis theatri publici usui ad tempus inservientibus, intersint, imponentes transgressoribus poenam suspensionis ipso facto incurrendam, hactenus ubique in Anglia vigentem, cum reservatione respectivo Ordinario.'

In our opinion this statute of itself, apart from any authoritative interpretation of it, forbids ecclesiastics who are in sacred orders to be

¹ 'Vicarius Generalis sine mandato speciali non habet potestatem infligendi poenas.'

present at amateur theatricals in public halls; the terms *scenicis spectaculis* are just as applicable to amateur as to professional theatricals, and the statute is quite explicit that, not merely public theatres in the strict sense, but also any places used as public theatres for the time being, are included in the prohibition. If to the explicit character of the statute itself is conjoined the interpretation given by the Bishops of England, to which our correspondent refers, there can be scarcely a shadow of doubt that amateur and professional theatricals are on the same footing as far as this statute is concerned. In regard, however, to the interpretation, it must be noted that it is not authentic in the technical sense; the Bishops did not give it in a legislative assembly. But, although it is merely doctrinal, it has, of course, the very highest authority; none were so competent as the legislators themselves to give an opinion on this matter.

J. KINANE.

LITURGY

THE FEAST OF THE MOST SACRED HEART OF JESUS
AND ITS OCTAVE

WE took occasion in the April number of the I. E. RECORD (page 413) to call the attention of our readers to the new Mass and Office of the Most Sacred Heart of Jesus and its Octave. By the Decree of 29th January, 1929, which amplifies the Decree *Miserentissimus Redemptor* of 8th May, 1928, the Feast of the Most Sacred Heart of Jesus is raised to a *double of the first class* with a privileged Octave of III Order, is declared to be a Primary Feast, and is made equal to Feriated Feasts. The Office with Mass is of obligation for all priests, and all bound to the Divine Office are obliged to recite it. The pertinent words in the Decree are: *Sanctitas Sua . . . officium cum missa proprium approbare dignata est, illudque, in universa Ecclesia, ab utroque Clero et a quibuslibet recitationi Officii divini, juxta Romanum ritum, adstrictis adhiberi jussit.*

These Decrees require many changes both in the general *Ordo* for Ireland and in the *Ordo* for particular dioceses as already published; in deference to the wishes of a large number of correspondents we give, for the convenience of the clergy of Ireland, the full *Ordo* for the Feast and its Octave.

JUNIUS, 1929

6. *Alb.* Fer. v. **Octava SS. Corporis Christi** . . . Vesp. de seq. (prop.) sine com. Compl. Dom. Ad Compl. et Horas per Oct. nisi aliter notetur, Doxol. *Jesu* . . . *Qui Corde—Alb.*

In D. Dublinen. Addr. com. Oct. S. Coemgeni, Abb. (ult. loc.) in L. (*Ÿ. Os justè*) et M. Caet. ut supra. Cras nil de Oct.

In D. Tuamen. Com. S. Norberti, Ep. C. tant. in L. et M. Caet. ut supra.

In D. Dromoren. *De S. Colmano, Ep. C. fit die 8 Junii; in caeteris dioeces. hoc anno, nihil fit.*

Cras prohibetur omnis Missa de Requiem, etiam exequialis. Cras in templis omnibus precatio piacularis seu protestatio in honorem Christi summi Regis ac Domini amantissimi sollemniter recitetur. (Ex decr. Pii Pp. XI, die 8 Maii, 1928).

7. *Alb.* Fer. vi. **Sacratissimi Cordis Jesu**, *dupl. 1 cl.* cum Oct. priv. III Ordinis (Ex decr. die 8 Maii, 1928, et die 29 Januarii, 1929). Off. solemn. Omn. ut in prop. loc. notatur. Ad Prim. *Ÿ.RŸ. br. Qui Corde fundis gratiam* per Oct. Miss. prop. (*Cogitationes Cordis*). *Credo. Praef. SS. Cordis Jesu* per Oct. nisi aliter notetur. In 2 Vesp. (prop.) nulla com. Compl. Dom.—*Alb.*

In D. Corcagien. *Omittr. Or. pro Rmo. Daniele, in annivers. ejus consecrat.*

Diebus infra Octavam prohibentur Missae Vot. privatae, et omnes Missae de Requiem, exceptis exequialibus, et omittr. Collect. (modo ordinario) imperata.

JUNIUS, 1929

In D. Tuamen. In 2 Vesp. (prop.) com. seq. Compl. Dom.—*Alb.*

In D. Dromoren. In 2 Vesp. (prop.) com. seq. Compl. Dom.—*Alb.*

8. *Alb.* Sabb. **De 2 die infra Oct. SS. Cordis Jesu, semid.** Off. solemn. Omn. ut in fest. et prop. loc. Ll. 1 Noct. de Scrip. occ. cum ꝛꝛꝛ. de festo. Ll. 2 et 3 Nn. prop. In Miss. de fest. 2 Or. *Concede* de B.M.V. 3 Or. *Eccles.* vel pro Papa. *Credo.* Praef. *SS. Cordis Jesu.* Vesp. de seq. Dom. (Ant. et Pss. et Hymn. de Oct. caet. de Dom. prop. loc.) com. praece., S. Columbae, Abb. (1 Vesp.) et SS. Primi et Feliciani, Mm. Compl. Dom.

In DD. Derrien et Rapoten. Vesp. de seq. (comm.) com. praece. et Dom. tant. Compl. Dom.

In D. Dublinen. Com. Oct. S. Coemgeni, Abb. in L. M. (3 Or. *Concede* de B.M.V.) et Vesp. (ante com. SS. Mm.). Caet. ut supra.

Alb. **In D. Tuamen.** S. JARLATHI, Ep. C. (*Patr. princ. dioec.*) *dupl.* 1 cl. cum Oct. (usque ad 13 hujus—fuit die 6 Junii). Off. solemn. Omn. de comm. et prop. (Suppl.). Ll. 1 Noct. *Fidelis sermo.* Com. Oct. SS. Cordis Jesu in L. et M. *Credo.* Praef. *SS. Cordis Jesu.* In 2 Vesp. (comm.) com. seq. Dom. (ut supra) S. Columbae, Abb. (1 Vesp.) et Oct. SS. Cordis Jesu tant. Compl. Dom.

Alb. **In D. Dromoren.** S. COLMANI, Ep. C. (*Patr. princ. dioec. et Tit. Eccles. Cathedr.*) *dupl.* 1 cl. cum Oct. (usque ad 14 hujus—fuit heri). Off. solemn. Omn. de comm. et prop. (Suppl.). Ll. 1 Noct. *Fidelis sermo.* Com. Oct. SS. Cordis Jesu in L. et M. *Credo.* Praef. *SS. Cordis Jesu.* In 2 Vesp. (comm.) com. seq. Dom. (ut supra) S. Columbae, Abb. (1 Vesp.) et Oct. SS. Cordis Jesu tant. Compl. Dom.

9. *Alb.* ✠ **DOMINICA infra Octavam SS. Cordis Jesu quae est DOM. III.** post Pentec. **De ea semid.** Omn. ut in fest. SS. Cordis Jesu et prop. loc. Ll. 1 Noct. de Scrip. occ. cum ꝛꝛꝛ. de fest. Ll. 2 et 3 Nn. prop. Ad L. et Horas Ant. ut in fest. Pss. de Dom. (in Prim. Pss. ut in festis) caet. prop. Com. S. Columbae, Abb., Oct. SS. Cordis Jesu et SS. Primi et Feliciani, Mm. in L. et M. (de Dom.) *Credo.* Praef. *SS. Cordis Jesu.* In 2 Vesp. de Dom. (ut in fest. et prop.) com. seq., S. Columbae, Abb. (2 Vesp.) et Oct. SS. Cordis Jesu. Compl. Dom.—*Alb.*

In D. Dublinen. Addr. com. Oct. S. Coemgeni, Abb. (post com. Oct. SS. Cordis Jesu) in L. (Ant. ꝗ. 1 Vesp. Or. *Deus qui nos* de comm. Conf. non-Pont.) et M. In 2 Vesp. de Dom. (ut supra) com. seq. diei Oct. S. Coemgeni, Abb. (1 Vesp.) S. Columbae, Abb. (2 Vesp. Or. *Deus qui nos*), S. Margaritae, Vid. et Oct. SS. Cordis Jesu. Caet. ut supra.

In DD. Tuamen. et Dromoren. Addr. com. Oct. Patr. (resp.) post com. Oct. SS. Cordis Jesu in L. (ꝗ. *Amavit*). M. et Vesp. (ꝗ. *Amavit*). Caet. ut supra.

Alb. † **In DD. Derrien et Rapoten.** S. COLUMBAE, Abb. (*Patr. princ. utriusque dioec. et Tit. Eccles. Cath. Rapoten.*), *dupl.* 1 cl. cum Oct. Off. solemn. Omn. de comm. et prop. (Suppl.) Ll. 1 Noct. *Beatus vir.* 9 l. hom. Dom. Com. Dom. et Oct. SS. Cordis Jesu in L. et M. *Credo.* Praef. *SS. Cordis Jesu.* Ev. ult. Dom. Nil de SS. Mm. In 2 Vesp. (comm.) com. seq., Dom et Oct. SS. Cordis Jesu. Compl. Dom.—*Alb.*

JUNIUS, 1929

10. *Alb.* Fer. ii. **S. Margaritae, Reg.** Vid. *semid.* Ll. 1 Noct. de Scrip. occ. cum R̄R̄. de festo. Com. Oct. SS. Cordis Jesu in L. et M. 3 Or. *Concede* de B.M.V. *Credo.* Praef. SS. *Cordis Jesu.* Omitt. *Suffr.* et *Prec. dom.* Vesp. de seq. (comm. et prop.) com. praec. et Oct. SS. Cordis Jesu. Compl. Dom.
- In DD. Tuamen. Dromoren. Derrien. Rapoten.** Omitt. *Suffr.* et *Prec. dom.* Com. Oct. SS. Cordis Jesu et Oct. Patr. (resp.) in L. et M. *Credo.* Praef. SS. *Cordis Jesu.* Vesp. de seq. (ut supra) com. praec. Oct. SS. Cordis Jesu et Oct. Patr. (resp.). Compl. Dom.
- Alb.* **In D. Dublinen.** Oetava S. Coemgeni, Abb. *dupl. maj.* Ll. 1 Noct. de Scrip. occ. cum R̄R̄. de festo. 9 l. S. Margaritae Vid. Com. S. Margaritae, Vid. et Oct. SS. Cordis Jesu in L. et M. *Credo.* Praef. SS. *Cordis Jesu.* (Vel. Miss. priv. S. Margaritae—*Alb.*—com. Oct. S. Coemgeni, 3 Or. Oct. SS. Cordis Jesu. *Credo.* Praef. SS. *Cordis Jesu.*) In 2 Vesp. (Ant. et Pss. fer.) com. seq. S. Margaritae, Vid. et Oct. SS. Cordis Jesu. Compl. de fer.
11. *Rub.* Fer. iii. **S. Barnabae** (S) Ap. *dupl. maj.* Off. solemn. Omn. ut in comm. et prop. Com. Oct. SS. Cordis Jesu in L. et M. *Credo.* Praef. Ap. In 2 Vesp. (comm. et prop.) com. seq. Oct. SS. Cordis Jesu et SS. Basilidis et Soc. Mm. Compl. Dom.
- In DD. Tuamen. Dromoren. Derrien. Rapoten.** Addr. com. Oct. Patr. (resp.) post com. Oct. SS. Cordis Jesu in L. M. et V. Caet. ut supra.
12. *Alb.* Fer. iv. **S. Joannis a S. Facundo, C. dupl.** Ll. 1 Noct. de Scrip. occ. cum R̄R̄. de festo. 9 l. SS. Basilidis et Soc. Mm. Com. Oct. SS. Cordis Jesu et SS. Mm. in L. et M. *Credo.* Praef. SS. *Cordis Jesu.* Vesp. a cap. de seq. com. praec. et Oct. SS. Cordis Jesu. Compl. de fer.
- In D. Tuamen.** 9 l. SS. Basilidis et Soc. Mm. Com. Oct. SS. Cordis Jesu, Oct. S. Jarlathi, Ep. C. (ŷ. *Amavit*) et SS. Mm. in L. et M. *Credo.* Praef. SS. *Cordis Jesu.* Vesp. de seq. die Oct. S. Jarlathi, Ep. C. com. praec., S. Antonii C. (ŷ. *Os justii*) et Oct. SS. Cordis Jesu. Compl. de fer.
- In D. Dromoren.** 9 C. SS. Basilidis et Soc. Mm. Com. Oct. SS. Cordis Jesu, Oct. S. Colmani, Ep. C. (ŷ. *Amavit*) et SS. Mm. in L. et M. *Credo.* Praef. SS. *Cordis Jesu.* Vesp. a cap. de seq. com. praec., Oct. SS. Cordis Jesu et Oct. S. Colmani, Ep. C. (ŷ. *Elegit* ut in Tert.). Caetera ut supra.
- In DD. Derrien. et Rapoten.** 9 l. SS. Basilidis et Soc. Mm. Com. Oct. SS. Cordis Jesu, Oct. S. Columbae, Abb. (Ant. ŷ. è 1 Vesp.) et SS. Mm. in L. et M. *Credo.* Praef. SS. *Cordis Jesu.* Vesp. a cap. de seq. com. praec., Oct. SS. Cordis Jesu et Oct. S. Columbae, Abb. (Ant. *Euge* ŷ. *Os justii*). Caetera ut supra.
13. *Alb.* Fer. v. **S. Antonii de Padua, C. dupl.** Ll. 1 Noct. de Scrip. occ. cum R̄R̄. de festo. Com. Oct. SS. Cordis Jesu in L. et M. *Credo.* Praef. SS. *Cordis Jesu.* Vesp. de seq. die Oct. SS. Cordis Jesu, (ut in 1 Vesp. festi) com. praec. et S. Basilii, Ep. C.D. (Ant.—*O Doctor*). Compl. Dom.
- In D. Rapoten.** Com. Oct. SS. Cordis Jesu et Oct. S. Columbae, Abb. (Ant. ŷ. è 1 Vesp.) in L. et M. *Credo.* Praef. SS. *Cordis Jesu.* Vesp. de seq. (comm.) com. SS. Cordis Jesu (2 Vesp.). Compl. Dom. Cras nil de Oct. S. Columbae.

JUNIUS, 1929

In D. Dromoren. Com. Oct. SS. Cordis Jesu et Oct. S. Colmani, Ep. (Ÿ. *Amavit*) in L. et M. *Credo*. Praef. SS. *Cordis Jesu*. Vesp. de seq. die Oct. SS. Cordis Jesu (ut in 1 Vesp. festi) com. praec., diei Oct. S. Colmani, Ep. C. (1 Vesp.) et S. Basilii, Ep. C. D. (Ant.—*O Doctor*, Ÿ. *Elegit*). Compl. Dom.

In D. Derrien. Com. Oct. SS. Cordis Jesu et Oct. S. Columbae, Abb. (Ant. Ÿ. è 1 Vesp.) in L. et M. *Credo*. Praef. SS. *Cordis Jesu*. Vesp. de seq. die Oct. SS. Cordis Jesu (ut in 1 Vesp. festi) com. praec., S. Basilii, Ep. C. D. (Ant.—*O Doctor*, Ÿ. *Amavit*) et Oct. S. Columbae, Abb. (Ant.—*Euge*, Ÿ. *Os justii*). Compl. Dom.

Alb. **In D. Tuamen.** Octava S. Jarlathi, Ep. C. *dupl. maj.* (Suppl.). Ll. 1 Noct. de Scrip. oec. cum R̄R̄. de festo. 9 l. S. Antonii, C. Com. S. Antonii (Ÿ. *Amavit*) et Oct. SS. Cordis Jesu in L. et M. *Credo*. Praef. SS. *Cordis Jesu*. (Vel, Miss Priv. S. Antonii—*Alb.*—com. S. Jarlathi, et Oct. SS. Cordis Jesu. *Credo*. Praef. SS. *Cordis Jesu*.) Vesp. de seq. die Oct. SS. Cordis Jesu (ut in 1 Vesp. festi) com. praec., S. Basilii, Ep. C. D. (Ant.—*O Doctor*, Ÿ. *Amavit*) et S. Antonii, C. (Ÿ. *Os justii*). Compl. Dom.

14. *Alb.* Fer. vi. **Octava Sacratissimi Cordis Jesu, dupl. maj.** Off. solemn. Omn. ut in fest. et prop. Ll. 1 Noct. de Scrip. oec. cum R̄R̄. de festo. Ll. 2 et 3 Nn. prop. cum R̄R̄. de festo. 9l. et com. S. Basilii, Ep. C.D. in L. et M. *Credo*. Praef. SS. *Cordis Jesu*. In 2 Vesp. (ut in 2 Vesp. festi) com. seq., S. Basilii, Ep. C.D. (Ant.—*O Doctor*) et SS. Viti et Soc. Mm. Compl. Dom. Doxol. *Jesu . . . Qui Corde*.

In D. Derrien. 9 l. S. Basilii, Ep. C. D. Com. S. Basilii, Ep. C. D. et Oct. S. Columbae, Abb. (Ÿ. *Amavit*) in L. et M. *Credo*. Praef. SS. *Cordis Jesu*. In 2 Vesp. (ut in 2 Vesp. festi) com. seq. diei infra Oct. S. Columbae, Abb. (1 Vesp.), S. Basilii, Ep. C. D. (Ant.—*O Doctor*) et SS. Viti et Soc. Mm. Compl. Dom. Caet. ut supra.

In D. Dromoren. 9 l. S. Basilii, Ep. C. D. Com. diei Oct. S. Colmani, Ep. C. et S. Basilii, Ep. C. D. (Ant. Ÿ. è 1 Vesp.) in L. et M. *Credo*. Praef. SS. *Cordis Jesu*. In 2 Vesp. (ut in 2 Vesp. festi) com. seq., diei Oct. S. Colmani, Ep. C. (2 Vesp.) S. Basilii, Ep. C. D. (Ant.—*O Doctor*. Ÿ. *Amavit*) et SS. Viti et Soc. Mm. Compl. Dom. Caet. ut supra.

Alb. **In D. Rapoten.** ANNIVERS. DEDIC. ECCLES. CATHEDR. *dupl.* 1 cl. cum Oct. Off. solemn. Omn. de comm. Com. diei Oct. SS. Cordis Jesu et S. Basilii, Ep. C.D. in L. et M. (In Miss. cum cantu omitt. com. S. Basilii). *Credo* per Oct. Praef. SS. *Cordis Jesu*. In 2 Vesp. (comm.) com. diei Oct. SS. Cordis Jesu tant. Compl. Dom. Doxol. *Jesu . . . Qui Corde*.

15. *Alb.* *V.R.* Sabb. **De S. Maria in Sabb. simpl.** Ant. et Pss. de Sabb. (ad Mat. 9 Pss. in uno Noct.). Absol. et bened. prop. Ll. 1 et 2 de Scrip. oec. 3 l. prop. Com. SS. Viti et Soc. Mm. in L. (*Suffr.* Ant.—*Sancti omnes*) et M. (cum *Gloria*). 3 Or. de Spiritu Sanct. Praef. de B.V.M. *Et te in veneratione*. Ad Prim. Ÿ.R̄. br. *Qui natus es et Prec. dom.* Ad Prim. et Horas usque ad Nonam, Doxol. *Jesu . . . qui natus*. Vesp. de seq. Dom. ut in Psalt. ad Vesp. Sabb. et prop. (Ant.—*Praevaluit*) *Suffr.* Ad Compl. de Sabb. *Preces*.

Caetera ut in *Ordo*.

M. EATON.

DOCUMENTS

REPLIES OF PONTIFICAL COMMISSION ON CANONS OF THE CODE

(March 12, 1929)

PONTIFICIA COMMISSIO AD CODICIS CANONES AUTHENTICE INTERPRETANDOS RESPONSA AD PROPOSITA DUBIA

Em̄i Patres Pontificiae Commissionis ad Codicis canones authentice interpretandos, propositis in plenario coetu quae sequuntur dubiis, responderi mandarunt ut infra ad singula :

I.—DE SACRIS BENEDICTIONIBUS

D. An verba *ritibus ab Ecclesia praescriptis*, de quibus in canone 349 § 1 n. 1, ita intelligenda sint ut Episcopi in sacris benedictionibus prohibeantur solo crucis signo uti, quum peculiaris formula in libris liturgicis non praescribitur.

R. *Negative.*

II.—DE IMPEDIMENTO PUBLICAE HONESTATIS

D. An vi canonis 1078 ex solo actu, ut aiunt, civili inter eos, de quibus in canone 1099 § 1, independenter a colabitatione oriatur impedimentum publicae honestatis.

R. *Negative.*

III.—DE DISPENSATIONE AB ABSTINENTIA ET IEIUNIO

D. An *magnus populi concursus*, de quo in canone 1245 § 2, habeatur etiam per extraordinarium concursum fidelium unius tantum parocchiae ad festum in ecclesia celebrandum.

R. *Affirmative.*

IV.—DE POSITIONIBUS SEU ARTICULIS ARGUMENTORUM

D. An secundum canonem 1761 § 1 servari possit praxis, vi cuius iudex cum altera parte communicare solet positiones seu articulos argumentorum, super quibus testes sunt examinandi, ut interrogatorium conficiat exhibeatque iudici.

R. *Affirmative*, remoto tamen subornationis periculo.

V.—DE IURE ACCUSANDI MATRIMONIUM

D. Utrum vox *impedimenti* canonis 1971 § 1 n. 1 intelligenda sit tantum de impedimentis proprie dictis (cann. 1067-1080), an etiam de impedimentis improprie dictis matrimonium dirimentibus (cann. 1081-1103).

R. *Negative ad primam partem, affirmative ad secundam.*

Datum Romae, die 12 mensis Martii anno 1929.

P. CARD. GASPARRI, *Praeses.*

IOSEPH BRUNO, *Secretarius.*

L. ✠ S.

REPLY OF SACRED PENITENTIARY TO QUERY CONCERNING PRIVILEGES GRANTED IN THE CONSTITUTION 'AUSPICANTIBUS NOBIS'

(March 8, 1929)

SACRA POENITENTIARIA APOSTOLICA

DUBIUM

DE PRIVILEGIO SACERDOTIBUS CONCESSO IN CONSTITUTIONE APOSTOLICA 'AUSPICANTIBUS NOBIS.'

Sacrae Poenitentiariae Apostolicae sequens dubium pro opportuna solutione exhibitum fuit :

'Utrum *privilegium personale*, hoc anno iubilari in Constitutione Apostolica "Auspicantibus Nobis" sacerdotibus concessum, sit consuetum personale privilegium *altaris*, vi cuius sacerdotes, pro defuncto celebrantes, Indulgentiam plenariam acquirere et applicare valeant animae pro qua Missam celebrant ; vel potius ita intelligendum sit ut sacerdotes, Sacrum litantes, in quolibet Missae Sacrificio plenariam Indulgentiam lucrari et applicare possint, independenter a Missae applicatione, uni animae, in Purgatorio detentae, ab ipsis ad libitum designatae.'

Et Sacra Poenitentiaria Apostolica, re mature perpensa, respondendum censuit :

'*Negative* ad primam partem, *affirmative* ad secundam.'

Facta autem de praemissis relatione Ss^mo D. N. Pio divina Providentia Pp. XI, ab infrascripto Regente eiusdem Sacri Tribunalis, in Audientia diei 1 Martii 1929, idem Ss^mus Dominus responsum Sacrae Poenitentiariae benigne adprobavit, confirmavit et publici iuris fieri mandavit.

Datum Romae, ex Sacra Poenitentiaria Apostolica, die 8 Martii 1929.

S. LUZIO, *Regens*.

A. ANELLI, *Substitutus*.

L. ✠ S.

DISCOURSE TO THE PARISH PRIESTS OF ROME AND THE LENTEN PREACHERS

(February 11, 1929)

ACTA PII PP. XI.

SERMONES

AD PAROCHOS URBIS ET CONCIONATORES SACRI TEMPORIS QUADRAGESIMALIS, HABITUS DIE XI FEBRUARII.

Il Nostro più cordiale benvenuto a voi, predicatori della Quaresima, ormai alle porte, a voi, da qualunque parte veniate, poichè siete figli, buoni figli e così altamente qualificati, che venite nella casa del Padre comune.

Già per questo, e particolarmente anzi per questo che venite col Nostro

Eminentissimo Cooperatore nella cura spirituale della Nostra cara alma città di Roma e che presta sì efficace concorso all'opera Nostra; coi Nostri cari parroci di Roma, che sono, senza la minima esagerazione, la perla del clero romano, ai quali sentiamo e professiamo di dovere tanto per l'assistenza e per il continuo miglioramento delle anime viventi più vicine a Noi e più intimamente raccomandate dalla divina Provvidenza alle cure del Nostro ministero pastorale.

Un'altra volta benvenuti siate voi, che venite in questa nuova Gerusalemme a portare il verbo divino, portatore, a sua volta, di nuova vita.

E più ancora, se possibile, siate voi benvenuti, che venite in quest'ora sì intimamente e solennemente solenne per Noi; in questa vigilia del settimo anniversario della Nostra incoronazione, ed ancora al principio dell'anno Giubilare, il cinquantesimo del Nostro Sacerdozio: due celebrazioni che fanno a gara (una per Noi ben formidabile gara) nel ricordarCi, nel dirCi, nell'intimarCi tutte le grazie, le misericordie di Dio e, pur troppo, tutte le miserie e deficienze Nostre per una ormai sì lunga serie di anni.

Ed anche per un altro motivo Ci sono la vostra venuta e la vostra presenza particolarmente care e quanto mai opportune, un motivo atto per sè solo ad innalzare ancor più il significato di questa udienza.

Dicevamo or ora della bontà e delle misericordie di Dio e Ci affrettiamo a chiedere il concorso delle vostre preghiere per meno indegnamente ringraziarne il Signore; concorso, di cui sentiamo tanto più grande il bisogno in questo punto di arrivo, dove più che mai sentiamo le Nostre debolezze giammai così sentite come dopo tanti anni di sì sublime elevazione e dopo sì larga e diuturna effusione di grazie sacerdotali.

Ciascuno di voi ha, come il suo pergamino, così il suo programma di predicazione maturato nella meditazione, nello studio e nella preghiera; e Noi non intendiamo disturbare i vostri piani. Non dubitiamo però che troverete modo, nelle linee del vostro programma, di far presenti e di raccomandare vivamente ai vostri fedeli uditori alcuni capi che Ci stanno particolarmente a cuore.

La prima penosa cosa che ancora tanto Ci affligge, dopo tanto dire e predicare da ogni parte, sia dai Pastori di anime come dalla buona stampa: una cosa che Ci fa arrossire come Vicario di Gesù Cristo, che anzi, secondo l'energica espressione di Gesù Cristo stesso, fa arrossire il medesimo Signore nostro, è la inverecondia di tante disgraziate donne, di tante disgraziate fanciulle che pur si dicono e vogliono essere dette cristiane.

Vedete anche voi, dilette figli, di persuadere con paterna bontà, con pazienza e con insistenza quelle tante poverette, che sono schiave di una moda così indegna di paesi civili, ancor prima che di paesi cristiani; tante povere schiave che sentono la loro schiavitù e se ne vergognano, ma non hanno poi la forza di ribellarsi ad una tirannia che sfrutta la loro vergogna come il negriero sfrutta il sangue degli schiavi, in questa vera nuova forma di tratta delle bianche.

Ma poi bollate col fuoco della vostra apostolica parola tante svergognate, che non solo non sentono l'indegnità del loro costume, ma quasi se ne gloriano e ne menano vanto.

In secondo luogo, vedete di promuovere, di difendere (è proprio il caso

di dir così) l'adempimento dei doveri religiosi, parrocchiali, vogliam dire tutto quel magnifico insieme che è la vita parrocchiale, la frequenza, l'assiduità, la diligenza—almeno nella misura indispensabile—all'istruzione religiosa, cose tutte veramente minacciate o, peggio, già più o meno danneggiate dagli eccessi di quel movimento che, con parola non italiana, si chiama 'sport.' Eccessi che lo rendono nè educativo, nè igienico, mentre ne fanno un ostacolo, non diciamo al prosperare, ma anche solo al più necessario vivere e svilupparsi di altre essenziali attività umane.

In terzo luogo vogliamo dirvi (forse già lo sapete o l'avreste tra breve saputo) di aver firmato una *Constituzione Apostolica* come testimonio della Nostra soddisfazione per quel bello ed utile Congresso Ceciliano celebrato qui in Roma lo scorso anno in memoria del centenario del buon Guido d'Arezzo; una Costituzione in favore della musica sacra e del canto gregoriano ed insieme, poichè sono argomenti inscindibili, in favore della sacra liturgia per il maggior decoro del culto.

Abbiamo raccomandato l'esecuzione dei Nostri desideri all'Eminentissimo Cardinale Vicario Nostro, e sappiamo quanto possiamo aspettarCi dal suo zelo; ma la raccomandiamo pure a Voi, perchè ve ne facciate divulgatori, se non dal pulpito, almeno in tante altre occasioni che non mancheranno di offrirsi alla vostra pietà ed al vostro zelo.

Ed ora accenniamo a quell'altra circostanza che Ci fa tanto più cara ed opportuna la vostra assistenza e che rende questa adunanza ben altrimenti memorabile e storica che non per le circostanze pur belle e solenni del settimo anniversario dell'incoronazione e dell'anno giubilare.

Proprio in questo giorno, anzi in questa stessa ora, e forse in questo preciso momento, lassù nel Nostro Palazzo del Laterano (stavamo per dire, parlando a parroci, nella Nostra casa parrocchiale) da parte dell'Eminentissimo Cardinale Segretario di Stato come Nostro Plenipotenziario e da parte del Cavaliere Mussolini come Plenipotenziario di Sua Maestà il Re d'Italia, si sottoscrivono un Trattato ed un Concordato.

Un Trattato inteso a riconoscere e, per quanto *hominibus licet*, ad assicurare alla Santa Sede una vera e propria e reale sovranità territoriale (non conoscendosi nel mondo, almeno fino ad oggi, altra forma di sovranità vera e propria se non appunto territoriale) e che evidentemente è necessaria e dovuta a Chi, stante il divino mandato e la divina rappresentanza ond'è investito, non può essere suddito di alcuna sovranità terrena.

Un Concordato poi, che volemmo fin dal principio inscindibilmente congiunto al Trattato, per regolare debitamente le condizioni religiose in Italia, per sì lunga stagione manomesse, sovvertite, devastate in una successione di Governi settari od ubbidienti e ligi ai nemici della Chiesa, anche quando forse nemici essi medesimi non erano.

Non vi aspetterete ora da Noi i particolari degli accordi oggi firmati: oltre che il tempo, non lo permetterebbero i delicati riguardi protocollari, non potendosi chiamare quegli accordi perfetti e finiti, finchè alle firme dei Plenipotenziari, dopo gli alti suffragi e colle formalità d'uso, non seguano le firme, come suol dirsi, sovrane: riguardi che evidentemente ignorano o dimenticano coloro che attendono per domani la Nostra benedizione solenne *Urbi et Orbi* dalla loggia esterna della Basilica di S. Pietro.

Vogliamo invece solo premunirvi contro alcuni dubbi e alcune critiche che già si sono affacciati e che probabilmente avranno più largo sviluppo a misura che si diffonderà la notizia dell'odierno avvenimento, affinchè voi, a vostra volta, abbiate a premunire gli altri. Non conviene che portiate queste cose, come suol dirsi, in pulpito; anzi, non dovete portarvele per non turbare l'ordine prestabilito alla vostra predicazione; ma anche all'infuori di questa, molti verranno a voi, sia per trarre particolare profitto dalla vostra eloquenza, con conferenze e simili, sia per avere anche sull'attuale argomento pareri tanto più autorevoli ed imparziali quanto più illuminati.

Dubbi e critiche, abbiamo detto; e Ci affrettiamo a soggiungere che, per quel che Ci riguarda personalmente, Ci lasciano e lasceranno sempre molto tranquilli, benchè, a dir vero, quei dubbi e quelle critiche si riferiscano principalmente, per non dire unicamente, a Noi, perchè principalmente, per non dire unicamente e totalmente, Nostra è la responsabilità, grave e formidabile invero, di quanto è avvenuto e potrà avvenire in conseguenza.

Nè potrebbe essere altrimenti, perchè se nelle ore critiche della navigazione il capitano ha più che mai bisogno dell'opera fedele e generosa dei suoi collaboratori (opera che a Noi fu prestata con fedeltà e generosità commoventi ed in una misura incredibilmente larga), in quelle ore meno che mai egli può cedere ad altri il posto, e con esso i pericoli e le responsabilità del comando.

Ben possiamo dire che non v'è linea, non v'è espressione degli accennati accordi che non sia stata, per una trentina di mesi almeno, oggetto personale dei Nostri studi, delle Nostre meditazioni, ed assai più delle Nostre preghiere, preghiere anche largamente richieste a moltissime anime buone e più amiche di Dio.

Quanto a Noi, sapevamo bene fin dal principio che non saremmo riusciti ad accontentare tutti; cosa che non riesce d'ordinario a fare neppure Iddio benedetto; anzi Noi abbiamo fatto Nostra la parola del Profeta, anzi di Nostro Signore medesimo: 'Ego autem in flagella paratus sum.' È del resto un'abitudine ormai inveterata della Nostra vita.

Ma, prescindendo dalla Nostra Persona, dobbiamo pure opportunamente spiegarCi, perchè Ci fa debitori a tutti l'universale paternità e l'universale magistero affidatoCi dalla divina Provvidenza.

E veniamo ai dubbi. Quando per il tramite del Nostro Signor Cardinale Segretario di Stato convocavamo il Corpo diplomatico accreditato presso la Santa Sede al fine di comunicare per suo mezzo alle Potenze il punto in cui le trattative si trovavano e la non lontana conclusione, subito si chiese se la Santa Sede intendeva con ciò domandare un permesso, un assenso o forse procurarsi le garanzie delle Potenze a favore del nuovo assetto. Ecco: era per Noi elementare dovere il comunicare, prima della conclusione, l'andamento delle trattative a Personaggi che presso di Noi portano e spiegano non soltanto i buoni uffici della loro amabilità, ma rappresentano altresì l'amicizia e le favorevoli disposizioni delle numerose Potenze accreditate presso la Sede Apostolica. Ma poi, evidentemente, nè di permesso, nè di consenso, nè di richiesta di garanzie poteva essere questione.

Tutti ed in tutte le parti del mondo, per quel sentore che delle presenti cose era largamente trapelato, avevano già detto e ripetuto che, in fondo, arbitro delle cose della Santa Sede e della Chiesa non poteva essere che il Pontefice e che il Pontefice non ha quindi bisogno di assenso nè di consenso, nè di garanzia. E questo, dobbiamo a Nostra volta dire, è verissimo : per quanto Ci premano e Ci siano preziosi il favore e l'amicizia di tutti gli Stati e di tutti i Governi.

Ma poi garanzie propriamente dette dove potremmo trovarle se non nella coscienza delle giuste ragioni Nostre, se non nella coscienza e nel senso di giustizia del popolo Italiano, se non più ancora nella divina Provvidenza, in quella indefettibile assistenza divina promessa alla Chiesa e che si vede in un modo particolarmente operante per il Rappresentante e Vicario di Dio in terra ?

Quali garanzie si possano d'altronde sperare, anche per un Potere Temporale abbastanza vasto come quello che figurava già nella geografia politica d'Europa, si è veduto in quello che fecero, o meglio non fecero, non vollero o forse non poterono fare, le Potenze per impedirne la caduta. Perchè forse neppure potevano ; ma se questa è (ed è questa) la condizione e la storia perpetua delle cose umane, come possiamo cercarvi sicure difese contro i pericoli dell'avvenire ? Pericoli che nel caso presente non possono essere che ipotetici e non furono mai tanto improbabili.

Altro dubbio : che sarà domani ? Questa domanda Ci lascia anche più tranquilli, perchè possiamo semplicemente rispondere : Non sappiamo. L'avvenire è nelle mani di Dio, quindi in buone mani. Qualunque cosa ci prepari l'avvenire, sia essa disposizione o permissione della divina Provvidenza, fin d'ora diciamo e proclamiamo che qualunque sia per essere il cenno della divina Provvidenza, dispositivo o permissivo, lo seguiremo fidenti sempre ed in qualunque direzione Ci chiami.

Le critiche saranno anche più numerose ; ma facilmente si divideranno in due grandi categorie. Gli uni diranno che abbiamo chiesto troppo, gli altri troppo poco. E questo tanto più avverrà, se si distingueranno i campi in cui Noi avremmo chiesto troppo o troppo poco.

Forse alcuni troveranno troppo poco di territorio, di temporale. Possiamo dire, senza entrare in particolari e precisioni intempestive, che è veramente poco, pochissimo, il meno possibile, quello che abbiamo chiesto in questo campo : e deliberatamente, dopo aver molto riflettuto, meditato e pregato. E ciò per alcune ragioni che Ci sembrano e buone e gravi. Innanzi tutto abbiamo voluto mostrare di essere pur sempre il Padre che tratta coi figli, che è dire la disposizione Nostra a non rendere le cose più complicate, e più difficili, ma più semplici e più facili. Inoltre volevamo calmare e far cadere tutti gli allarmi, volevamo rendere addirittura ingiuste, assolutamente irragionevoli, tutte le recriminazioni fatte o da farsi in nome di una, stavamo per dire, superstizione di integrità territoriale del paese. Ci parve così di seguire un pensiero provvido e benefico a tutti per il presente e per il futuro, provvedendo ad una maggiore tranquillità di cose, prima ed indispensabile condizione per una stabile pace e per ogni prosperità.

In terzo luogo volevamo mostrare in un modo perentorio che nessuna

cupidità terrena muove il Vicario di Gesù Cristo, ma soltanto la coscienza di ciò che non è possibile non chiedere; perchè una qualche sovranità territoriale è condizione universalmente riconosciuta indispensabile ad ogni vera sovranità giurisdizionale: dunque almeno quel tanto di territorio che basti come supporto della sovranità stessa; quel tanto di territorio, senza del quale questa non potrebbe sussistere, perchè non avrebbe dove poggiare. Ci pare insomma di vedere le cose al punto in cui erano in S. Francesco benedetto: quel tanto di corpo che bastava per tenersi unita l'anima. Così per altri Santi: il corpo ridotto al puro necessario per servire all'anima e per continuare la vita umana, e colla vita l'azione benefica. Sarà chiaro, speriamo, a tutti, che il Sommo Pontefice proprio non ha se non quel tanto di territorio materiale che è indispensabile per l'esercizio di un potere spirituale affidato ad uomini in beneficio di uomini; non esitiamo a dire che Ci compiaciamo che le cose stiano così; Ci compiaciamo di vedere il materiale terreno ridotto a così minimi termini da potersi e doversi anche esso considerare spiritualizzato dall'immensa, sublime e veramente divina spiritualità che esso è destinato a sorreggere ed a servire.

Vero è che Ci sentiamo pure in diritto di dire che quel territorio che Ci siamo riservati e che Ci fu riconosciuto, è bensì materialmente piccolo, ma insieme è grande, il più grande del mondo, da qualunque altro punto di vista lo si contempi.

Quando un territorio può vantare il colonnato del Bernini, la cupola di Michelangelo, i tesori di scienza e di arte contenuti negli archivi e nelle biblioteche, nei musei e nelle gallerie del Vaticano; quando un territorio copre e custodisce la tomba del Principe degli Apostoli, si ha pure il diritto di affermare che non c'è al mondo territorio più grande e più prezioso. Così si può abbastanza vittoriosamente, tranquillamente rispondere a chi obietta d'aver Noi chiesto troppo poco: mentre poi non si riflette forse abbastanza quel che significhi di incomodo e di pericoloso (diciamo al giorno d'oggi) aggiungere al governo universale della Chiesa, l'amministrazione civile di una popolazione per quanto minuscola.

La piccolezza del territorio Ci premunisce contro ogni incomodo e pericolo di questo genere. Sono sessant'anni ormai che il Vaticano si governa senza particolari complicazioni.

Altri invece diranno, anzi hanno già detto od accennato, che abbiamo chiesto troppo in altro campo: si capisce, e vogliamo dire nel campo finanziario. Forse si direbbe meglio nel campo economico, perchè non si tratta qui di grandi finanze statali, ma piuttosto di modesta economia domestica.

A costoro vorremmo rispondere con un primo riflesso: se si computasse, capitalizzando, tutto quello di cui fu spogliata la Chiesa in Italia, arrivando fino al Patrimonio di S. Pietro, che massa immane, opprimente, che somma strabocchevole si avrebbe? Potrebbe il Sommo Pontefice lasciar credere al mondo cattolico di ignorare tutto questo? Non ha egli il dovere preciso di provvedere, per il presente e per l'avvenire, a tutti quei bisogni che da tutto il mondo a lui si volgono e che, per quanto spirituali, non si possono altrimenti soddisfare che col concorso di mezzi anche materiali, bisogni di uomini e di opere umane come sono?

Un altro riflesso non sembrano fare quei critici: la Santa Sede ha pure il diritto di provvedere alla propria indipendenza economica, senza la quale non sarebbe provveduto nè alla sua dignità, nè alla sua effettiva libertà. Abbiamo fede illimitata nella carità dei fedeli, in quella meravigliosa opera di provvidenza divina che ne è l'espressione pratica, l'Obolo di San Pietro, la mano stessa di Dio, che vediamo operare veri miracoli da sette anni in qua. Ma la Provvidenza divina non Ci dispensa dalla virtù di prudenza nè dalle provvidenze umane che sono in Nostro potere. E troppo facilmente si dimentica che qualunque risarcimento dato alla Santa Sede evidentemente non basterà mai a provvedere se non in piccola parte a bisogni vasti come il mondo intero, come al mondo intero si estende la Chiesa cattolica: bisogni sempre crescenti, come sempre crescono con gigantesco sviluppo le opere missionarie raggiungendo i più lontani paesi; senza dire che anche nei paesi civili, in Europa, in Italia, —qui specialmente, dopo le spoliazioni sofferte—sono incredibilmente numerosi e non meno incredibilmente gravi, e tali bene spesso da muovere al pianto, i bisogni delle persone, delle opere e delle istituzioni ecclesiastiche, anche le più vitali, che ricorrono, Noi lo sappiamo, per aiuto alla Santa Sede, al Padre di tutti i fedeli.

Ma torniamo agli avvenimenti odierni e tiriamone una conclusione altrettanto vera che consolante: e la conclusione vuol essere che veramente le vie di Dio sono alte, numerose, inaspettate; che qualunque cosa avvenga, comunque avvenga e da Noi se ne cerchi il successo, sempre siamo nelle mani di Dio: che le grandi cose non ubbidiscono nè alla Nostra mente nè alla Nostra mano; che sempre ed in ogni incontro, come il Signore sa approfittare di tutti e di tutto, tutto fa concorrere al raggiungimento dei benefici fini della Sua santissima volontà; onde a Noi non resta che ripetere appunto: *fiat voluntas Tua!*

DECREE CONCERNING SPIRITUAL ADMINISTRATION TO THE FAITHFUL OF THE GRECO-RUTHENIAN RITE IN THE UNITED STATES OF AMERICA

(March 1, 1929)

SACRA CONGREGATIO PRO ECCLESIA ORIENTALI

DECRETUM

DE SPIRITUALI ADMINISTRATIONE ORDINARIATUUM GRAECO-RUTHENORUM
IN FOEDERATIS CIVITATIBUS AMERICAE SEPTENTRIONALIS.

Cum data fuerit Episcopo graeco-rutheno Statuum Foederatorum anno 1912 plena et ordinaria iurisdictio in clerum et populum universum graeco-rutheni ritus in Foederatis Civitatibus Americae septentrionalis, sive permanenter, sive ad tempus commorantes, et cum dein per decretum S. Congregationis pro Ecclesia Orientali sub die 8 Maii 1924 duo Ordinariatus graeco-rutheni ritus constituti sint, alter pro fidelibus oriundis e

Galitia cum sede Philadelphiae Pa., alter vero pro fidelibus oriundis ex Podocarpattia Russa, necnon pro fidelibus graeco-rutheni ritus provenientibus ex Hungaria et Jugoslavia, cum sede Homestead Pa.; Eminentissimis ac Reverendissimis Patribus Cardinalibus S. Congregationi pro Ecclesia Orientali praepositis, in plenariis comitiis die 4 Ianuarii huius anni habitis, opportunas leges a S. C. de Propaganda Fide pro Negotiis rituum orientalium latas die 17 Augusti 1914, eo modo qui sequitur visum est noviter aptare, eademque praesenti decreto iterum ferre, circa spirituales administrationem duorum Ordinariatuum graeco-rutheni ritus in praedicta regione.

CAPUT I

De Episcopis graeco-rutheni ritus

Art. 1.—Nominatio Episcoporum graeco-rutheni ritus pro regione Statuum Foederatorum Americae septentrionalis Apostolicae Sedi reservata est.

Art. 2.—Episcopi graeco-rutheni ritus eorumque legitimi successores in Statibus Foederatis Americae septentrionalis sub immediata huius Apostolicae Sedis iurisdictione ac potestate manebunt, plenamque iurisdictionem ordinariam in omnes fideles graeco-rutheni ritus, permanentem vel ad tempus in Foederatis Civitatibus Americae septentrionalis commorantes, respective, iuxta diversitatem originis supra memoratam, exercebunt, sub dependentia tamen R. P. D. Delegati Apostolici Washingtonensis pro tempore.

Art. 3.—Eisdem ius ac potestas competit regendi ac gubernandi gregem suum ac leges et statuta condendi in iis quae iuri communi non adversantur. Praecipuum vero eorum munus erit invigilare ut tum doctrina et boni mores, tum ritus et disciplina huius Ecclesiae propria sancte et integre custodiantur. Eorum igitur erit uniformitatem caeremoniarum in variis devotionibus necnon in tradendis Sacramentis usitatarum secundum rubricas librorum liturgicorum approbatorum, introducere et eiusdem unitatis strictam observantiam a sacerdotibus suis exoptulare.

Art. 4.—Ordinarii paroecias et missiones suae curae concreditas saepe visitare tenentur, ita ut saltem singulis quinquenniis ipsi, vel per se, vel, si fuerint legitime impediti, per Vicarium Generalem, aut alium specialiter delegatum sacerdotem, lustrent, ut gregem suum apprime cognoscant, eaque omnia quae ad spirituale eius bonum attinent, melius provideant.

Art. 5.—In canonica visitatione paroeciarum inquirant Episcopi an parochi omnia paroecialia munera, praesertim visitationem infirmorum, puerorum instructionem, verbi Dei praedicationem, in dominicis et festis, diligenter absolvant; videant insuper omnes libros baptismatum, matrimoniorum ac mortuorum; inventariumque bonorum ecclesiasticorum ex ultimo biennio: ac rationes ab unoquoque rectore missionis exoptulent, id est introspeciant ac probent libros proventuum et expensarum cuiuslibet Ecclesiae, statum materiale eiusdem, debita, etc. Hae praesertim occasione diligenter advigilent, ne abusus in disciplinam ecclesiasticam

irrepant, praecipue circa administrationem Sacramentorum et Sacramentalium, cultum Dei et Sanctorum, praedicationem verbi divini, implementum piarum voluntatum; serioque curent ut puritas fidei et morum in clero et populo conservetur, ut fidelibus, praecipue pueris et rudibus, pabulum doctrinae christianae praebeatur, ut in scholis puerorum ac iuvenum institutio secundum catholicae religionis principia tradatur. Si compererint irrepsisse abusos, eos prudenter, sed fortiter compescant, adhibitis etiam, si opus sit, poenis canonicis.

Art. 6.—Ut autem securitati bonorum temporalium ecclesiarum, coemeteriorum, scholarum et omnium eorum quae ad Ecclesiam pertinent, summa cum diligentia prospiciatur, curent Ordinarii (a) ne Rector Consiliumve administrationis nomine ac iure proprio retineant, pro quorum acquisitione fideles quovis modo subsidia contulerunt; (b) satagant, audito in pertractandis negotiis virorum peritorum ac consultorum suorum consilio, eas tituli possessionis formas adhibere, omnesque prescriptiones servare, quae legibus singulorum Statuum respondeant, quaeque ecclesiasticorum bonorum administrationi, conservationi ac plenae in posterum transmissioni faveant; (c) normas quas iudicaverint de bonis ecclesiasticis administrandis opportunas, statuunt.

Art. 7.—Annua sustentatio utriusque Episcopi consistet et praestationibus ad instar cathedralitici, quae iuxta aequitatem ab Episcopo, audita voce suorum consultorum, determinabuntur, quasque singulae ecclesiae Ruthenorum Ordinariatuum solvere tenentur. Rectores ecclesiarum respondere tenentur de exacta solutione harum praestationum et aliarum ab Episcopo eiusque consultoribus determinandarum, pro Seminario, orphanotrophio, missionibus, etc.

Art. 8.—Sicut in initio huius decreti declaratur, Ordinarius pro fidelibus oriundis ex Galicia sedem suam habeat Philadelphiae Pa., alter vero Homestead Pa.; pro commoditate tamen et utilitate tum cleri, tum curiarum duorum Ordinariatuum, sacerdos ruthenus domicilium habere poterit Neo-Eboraci, qui munere fungens Vicarii vel delegati Ordinariorum, assistentiam praebet fidelibus ruthenis, peculiariter autem sacerdotibus illis qui vel Americam attingunt vel ex ea proficiscuntur, sed sub dependentia et voto Ordinariorum.

Art. 9.—Episcopi singulis quinquenniis plenam et accuratam relationem de statu personali, morali ac materiali missionum proprii ritus exhibeant Delegato Apostolico, qui eam transmittet ad S. Congregationem pro Ecclesia Orientali atque singulis saltem decenniis, ad sacra Apostolorum limina accedant, ut obsequium et oboedientiam suam Pontifici Summo praestent, eique rationem reddant de pastoralis muneris implemento, deque omnibus quae ad Ecclesiae suae statum et cleri populique mores ac disciplinam, animarumque sibi concreditarum salutem pertinent.

Art. 10.—Controversiae, si quae exoriantur inter Episcopum graeco-rutheni ritus et Episcopos latini ritus Statuum Foederatorum, deferantur ad S. C. pro Ecclesia Orientali.

CAPUT II

De Clero graeco-rutheno

Art. 11.—Cum necesse sit ut habeantur sacerdotes integrae vitae, zelo ac prudentia praediti, in scientiis saeris eruditi et politicis factionibus alieni, curent Ordinarii, ut data opportunitate, saltem pro utroque Ordinariatu erigatur Seminarium minus et maius, pro clericis ritus graeco-rutheni educandis. Interim vero clerici isti frequentent Seminarium latinum ab Ordinario designatum, atque unum alterunve habeant sacerdotem sui ritus, qui eos ritus liturgiamque propriam bene ac diligenter edoceant. Ad subveniendum clericorum educationis expensis, tum rectores ecclesiarum, tum ipsae ecclesiae ritus graeco-rutheni in Statibus Foederatis Americae septentrionalis contribuant. Enixe Ordinarii commendent clero fidelibusque pium opus vocationum ecclesiasticarum, curentque ut sacerdotes, praesertim parochi, pueros, qui iudicia praebent ecclesiasticae vocationis, a saeculi contagiis arceant, ad pietatem informent, primis litterarum studiis imbuant, divinaeque in eis vocationis germen fovcant.

Art. 12.—Antequam habeatur numerus sufficiens presbyterorum graeco-ruthenorum, qui in Statibus Foederatis educati fuerint, si providenda occurrat de suo rectore aliqua missio Ruthenorum vel vacans vel noviter erecta, Ordinarii postulent sacerdotes ab Episcopis ritus graeco-rutheni Galitiae vel Hungariae vel Jugoslaviae per tramitem S. Congregationis pro Ecclesia Orientali. Illi vero sacerdoti qui proprio Marte, neque ab alterutro Episcopo graeco-rutheno vocatus, neque a S. Congregatione missus, illuc perrexerit, Episcopus graeco-ruthenus nullas concedere potest facultates, sive celebrandi Sacrum sive administrandi Sacramenta, sive munia ecclesiastica quomodoecumque obeundi. Interim, sicut iam pluries statutum est, sacerdotes ritus graeco-rutheni, qui in Status Foederatos Americae septentrionalis proficisci et commorari cupiunt, debent esse coelibes.

Art. 13.—Sacerdotes pecuniam quaerentes, vel in fide ac moribus vacillantes, vel ebrietati faventes, nullo modo mittantur nec admittantur in Americam; et si tales inveniuntur, quantoecius dimittantur: qui dimissi, nisi paruerint, poenis canonicis, non exclusa suspensione a divinis, coercentur.

Art. 14.—Quilibet sacerdos, ex Europa proveniens et in Statibus Foederatis Americae septentrionalis commorans pro fidelium ritus graeco-rutheni spirituali cura, manebit in cardinatus dioecesi originis, nisi, servatis de iure servandis, in cardinetur ab alterutro Ordinario graeco-rutheno Statuum Foederatorum. Interim tamen Episcopus originis iurisdictionem in eum nullo modo exercebit, sed praedictus sacerdos unice pendeat a iurisdictione Episcopi graeco-rutheni. In patriam redire aut revocari supradicti sacerdotes nequeant sine expressa licentia sui Ordinarii graeco-rutheni ritus Statuum Foederatorum in scriptis concedenda. Episcopi originis respondere debent coram S. Congregatione pro Ecclesia Orientali si tales sacerdotes sine scriptis ab alterutro Ordinario graeco-rutheni ritus Statuum Foederatorum admittant.

Art. 15.—Omnes rerectos paroeciarum et missionum graeco-ruthenarum in Statibus Foederatis amovibiles sunt ad nutum Ordinariorum graeco-rutheni ritus. Amoveri autem non poterunt absque causis gravibus et iustis.

Art. 16.—Datur tamen facultas presbytero amoto recursum interponendi, in devolutivo, contra decretum remotionis, ad S. C. pro Ecclesia Orientali.

Art. 17.—Sustentationi sacerdotis provideant Ordinarii, salarium eidem assignando, assumendum iuxta proportionem ex omnium Ecclesiae proventuum massa seu cumulo.

Art. 18.—Iura stolae et emolumenta sacri ministerii in singulis missionibus determinanda sunt ab Ordinariis graeco-ruthenis iuxta probatas diversorum locorum consuetudines.

Art. 19.—Ordinarii graeco-rutheni nonnisi in clerum et populum graeco-ruthenum iurisdictionem suam exerceant. Si tamen aliquo in loco existant fideles graeco-rutheni ritus, in eoque non sit missio constituta, aut nullus adsit presbyter eiusdem ritus, Ordinarii tunc debent iurisdictionem suam in fideles graeco-ruthenos presbytero latino loci communicare, certiorato Ordinario, quoad usque sacerdos graeco-ruthenus ibi habeatur.

Art. 20.—Meminerint sacerdotes se debere sanctiorem prae laicis vitam interiorem et exteriorem ducere eisque virtute et recte factis in exemplum excellere, si velint in salutem animarum suum ministerium proficere. Ideo frequenter ad Poenitentiae Sacramentum accedant, quotidie orationi mentali per aliquod tempus incumbant, Sanctissimum Sacramentum visitent, Deiparam Virginem colant, conscientiamque suam discutiant.

Art. 21.—Omnes sacerdotes debent tertio saltem quoque anno vel etiam frequentius, si opportunam habuerint occasionem, spiritualibus exercitiis per tempus a proprio Ordinario determinandum vacare; nec ab eis quisquam eximatur, nisi in casu particulari, iusta de causa ac de expressa Ordinarii licentia.

Art. 22.—Omnes speciali obligatione tenentur suo quisque Ordinario reverentiam et obedientiam exhibendi eamque fidelibus saepius inculcent.

Art. 23.—Sacerdotes studia praesertim sacra ne intermittant, et in sacris disciplinis solidam illam doctrinam a maioribus traditam et communiter ab Ecclesia receptam sectentur, devitantes profanas vocum novitates et falsi nominis scientiam.

Art. 24.—Expleto studiorum curriculo, sacerdotes omnes, nisi ab Ordinario ob iustam causam fuerint dispensati, examen singulis annis, saltem per triennium integrum in diversis sacrarum scientiarum disciplinis, antea opportune designatis, subeant secundum modum ab eodem Ordinario determinandum.

Art. 25.—Pariter saepius in anno, in singulis vicariatibus foraneis, diebus ab Ordinario praestitutis, conventus habeantur seu collationes de re morali et liturgica; quibus addi possunt aliae exercitationes quas Ordinarius opportunas iudicaverit ad scientiam et pietatem clericorum

promovendam. Si conventus haberi difficile sit, resolutae quaestiones scriptae mittantur, secundum normas ab Ordinario determinatas. Qui conventui interesse debent, deficiente conventu, scriptam casuum solutionem aliusve quaestionis expositionem mittere debent, nisi ab Ordinario expresse antea exemptionem obtinuerint. In collatione officiorum ratio habeatur eorum qui, ceteris paribus, in supradictis periculis vel collationibus magis praestiterunt.

Art. 26.—Gravi obligatione tenentur parochi, quasi-parochi missionariiue diebus dominicis ceterisque per annum festis de praecepto fidelibus, brevi Evangelii aut alicuius partis doctrinae christianae explanatione, verbum Dei nuntiandi necnon catholicam fidelium institutionem curandi, praesertim puerorum, secundum instructiones ab Ordinario receptas. Qui si negligentes reperti fuerint, pro gravitate culpae puniantur.

Art. 27.—Iuxta opportunitatem, Ordinarii graeco-rutheni ritus sacerdotes saltem praecipuos tum saeculares, tum religiosos propriae iurisdictionis congregent semel saltem in anno, ut possint ex singulorum experientia et consilio deducere quae sint perfectius ordinanda.

CAPUT III

De fidelibus graeco-ruthenis

Art. 28.—Fideles graeco-rutheni tenentur frequentare ac libenter sustentare suas proprias ecclesias, ac observare praescripta sui ritus. Tamen in regionibus ubi desunt ecclesiae ac sacerdotes proprii ritus et ubi propter longinquitatem ecclesiae suae non eam possunt nisi cum gravi incommodo adire, debent, ut praeceptis Ecclesiae satisfaciant, Missam audire in ecclesia catholica alterius ritus, nec non Sacramenta accipere a presbytero alterius ritus.

Art. 29.—Frequentatio ex parte graeco-ruthenorum, etiam continua, ecclesiarum ritus latini, non inducit mutationem ritus. Circa transitum ab uno ritu ad alium, normae rite observentur a S. C. pro Ecclesia Orientali datae per decretum 'Nemini licere' die 6 Decembri 1928. Idcirco fideles graeco-rutheni propter transitum ad alium ritum, petitionem ad Delegatum Apostolicum mittant, et simul exponant veraciter causas canonicas, quae eundem transitum suadere videntur. Satius vero erit si hanc petitionem ad eundem Delegatum Apostolicum transmittant per tramitem proprii Ordinarii.

Art. 30.—Non licet sacerdotibus ritus latini quempiam Graeco-ruthenum ad latinum ritum amplectendum inducere contra vel praeter canonica praescripta quae transitus ritus moderantur.

Art. 31.—Fideles latini, etiamsi adsit presbyter latini ritus, apud sacerdotem graecum-ruthenum ab Ordinario suo adprobatum, peccata sua confiteri et beneficium sacramentalis absolutionis, valide et licite obtinere possunt. Item, fideles graeco-rutheni peccata sua confiteri possunt apud sacerdotem latinum ab Episcopo suo adprobatum. Presbyteri vero latini absolvere non possunt fideles graeco-rutheni ritus a censuris et casibus reservatis ab Ordinario graeco-rutheno statutis, absque venia eiusdem.

Vicissim idem dicatur de presbyteris graeco-ruthenis quoad censuras et reservationes statutas ab Ordinario latini ritus. Ad devitandas vero difficultates, quae frequentiores in praxi occurrunt, Ordinariatus omnes a se reservatos casus, si qui sint, sibi invicem communicent.

Art. 32.—Omnibus fidelibus cuiuscumque ritus datur facultas ut, pietatis causa, Sacramentum Eucharisticum quolibet ritu confectum suscipiant; ac insuper, ubi necessitas urgeat, nec sacerdos diversi ritus adsit, licetbit sacerdoti graeco-rutheno ministrare Eucharistiam consecratam in azymo; et vicissim sacerdoti latino ministrare in fermentato; at suum quisque ritus in ministrando servabit.

Art. 33.—Quilibet Orientalis valide ac licite praecepto communionis paschalis satisfacit etiamsi alieno ritu communicet.

Suadendum tamen est ut suo quisque ritu et in propria paroecia fideles praecepto communionis paschalis satisfaciant: qui vero in aliena paroecia satisfecerint, curent proprium parochum de adimpleto praecepto certiore facere.

Art. 34.—Sanctum Viaticum moribundis ritu proprio a manibus proprii parochi accipiendum est; sed, urgente necessitate, fas esto a sacerdote quolibet illud accipere; qui tamen ritu suo ministrabit.

Art. 35.—Funerum celebratio ac emolumentorum perceptio in familiis mixti ritus, ad parochum illius ritus pertineant, ad quem defunctus pertinebat.

Art. 36.—Ad vitanda gravia incommoda quae inde Ruthenis evenire possent, facultas eis fit festa et ieiunia observandi iuxta consuetudinem locorum in quibus degunt; quae observantia minime inducit mutationem ritus. Quoad Missam audiendam diebus festis in utroque ritu in eandem diem incidentibus, ipsi sacrae liturgiae in ecclesia sui ritus, si in loco existat, interesse tenentur, ad adimplendum praeceptum ecclesiasticum.

Art. 37.—Adsociationes fidelium ritus graeco-rutheni sint sub vigilantia Ordinariorum, qui sacerdotem moderatorem nominent, ne forte abusus circa doctrinam, mores, disciplinamve in eis irrepant. Ideo laude digni sunt fideles qui sua dant nomina adsociationibus ab auctoritate ecclesiastica erectis vel saltem commendatis; caveant autem ab adsociationibus secretis, damnatis, seditiosis, susceptis aut quae student sese a legitimae auctoritatis ecclesiasticae vigilantia subducere.

Pariter diaria, folia vel libelli periodica catholica sint sub vigilantia Ordinarii, nec in eis sine eius consensu sacerdotes scribant vel eadem moderentur.

CAPUT IV

De matrimoniis inter fideles mixti ritus

Art. 38.—Matrimonia inter catholicos graeco-ruthenos et latinos non prohibentur; sed ad vitanda incommoda, quae ex rituum diversitate in familiis evenire solent, uxor in ineundo matrimonio aut eo durante, ad ritum viri transire potest. Matrimonio autem soluto, assumendi proprii ritus originis libera est ei potestas.

Art. 39.—Matrimonia tum inter fideles graeco-ruthenos, tum inter fideles mixti ritus, servata forma decreti 'Ne temere' contrahi debent, ac proinde in ritu mulieris a parochio mulieris benedicenda sunt.

Art. 40.—Dispensationes matrimoniales in matrimoniis mixti ritus, si quae sint dandae vel petendae, dentur et petantur ab Episcopo sponsae.

Art. 41.—Nati in regione Statuum Foederatorum Americae septentrionalis ex parentibus diversi ritus, ritu patris sunt baptizandi; proles enim utriusque sexus sequi omnino debet patris ritum.

Art. 42.—Baptismus in alieno ritu ob gravem necessitatem susceptus, cum nimirum infans morti proximus esset, vel natus esset in loco in quo, tempore nativitatibus, parochus proprius patris non aderat, ritus mutationem non inducit: et sacerdos, qui baptizavit, proprio parochio testimonium baptismatis remittere debet.

Art. 43.—Infantes ad eius parochi iurisdictionem pertinent, cuius ritus est eorum pater, exceptis natis ex illegitimo thoro, qui sequuntur ritum matris.

Haec omnia Ssñus Dominus Noster Pius Div. Prov. Papa XI, referente infrascripto huius S. Congregationis Cardinali Secretario in audientia 9 Februarii vertentis anni, rata habuit ac confirmavit, praesensque decretum ad decennium valiturum edi iussit.

Contrariis quibuscumque non obstantibus.

Datum Romae, ex actibus Saeae Congregationis pro Ecclesia Orientali, die 1 Martii anno 1929.

ALOISIUS CARD. SINCERO, *Secretarius*.

L. ✠ S.

H. I. CICOGNANI, *Adessor*.

ADDRESS OF HIS HOLINESS TO THE DIPLOMATIC CORPS

(March 9, 1929)

DIARIUM ROMANAE CURIAE

La Santità di Nostro Signore ha ricevuto, sabato 9 Marzo, in udienza l'Eccellente Corpo Diplomatico, che Gli presentava i propri ringraziamenti per le comunicazioni avute da Sua Eminenza Revma il Signor Cardinale Secretario di Stato, il 7 Febbraio u. s., circa gli accordi tra la Santa Sede e l'Italia, che venivano poi firmati nel Palazzo Laterano l'11 successivo.

All'eloquente e geniale Indirizzo di Sua Eccellenza il Sig. Carlo Magalhaes de Azeredo, Ambasciatore straordinario e Plenipotenziario del Brasile, Decano del Corpo Diplomatico, Sua Santità rispondeva col seguente discorso:

Voilà une magnifique audience—une audience, Nous n'hésitons pas à le dire—qui dépasse en grandeur et en importance toutes les autres.

Ce n'est pas un compliment, chers Messieurs, c'est à un certain point de vue—un point de vue réel et positif—que votre visite collective est

vraiment la plus grande et la plus importante qu'on puisse Nous faire. Et ce point de vue c'est vous qui Nous le donnez.

Car ce n'est pas seulement vos estimées et amiables personnes que Nous voyons. Derrière chacun de vous, Nous ne pouvons pas nous empêcher d'apercevoir vos respectifs souverains, vos présidents, régents, chefs d'Etat, quel que soit le nom dont on les appelle ; et avec eux vos gouvernements, vos peuples, vos pays tout entiers, tous ensemble : une vision d'une grandeur vraiment apocalyptique, d'une étendue mondiale ; *visionem magnam*, vision grande !

Et vous venez Nous remercier de quelque chose, qui grâce à vous est devenu plutôt un nouveau titre de Notre reconnaissance envers vous.

En effet, c'est grâce à vous, à vos bons offices, que la communication que par l'intermédiaire de Notre Cardinal Secrétaire d'Etat, Nous avons voulu vous faire concernant les événements qui allaient s'accomplir ; c'est grâce à votre intelligente et bienveillante transmission et interprétation que cette communication nous a valu les plus réconfortants, comme les plus désirés témoignages de sympathie et d'adhésion de vos Etats et de vos peuples. Adhésion et sympathie qui ne se sont jamais démenties, et même quelquefois se sont accentuées depuis l'année 1870, mais qui, à l'heure présente, à un moment (on peut bien dire à un tournant) si important, de l'histoire du Saint-Siège et de l'Eglise se sont traduites en démonstrations tellement solennelles, tellement grandioses qu'elles ont remplacé et dépassé sans mesure toutes les garanties que Nous aurions pu désirer.

Nous disons les garanties que Nous aurions pu désirer ; parce qu'il y a des garanties que Nous ne pourrions aucunement ni désirer ni accepter.

Voilà une distinction qui a été oubliée par les nombreux dilettanti et amateurs (comme votre éloquent interprète les a appelés) de droit international. Cette distinction revient à celle qui intervient entre garanties juridiques et garanties morales.

La garantie juridique est celle que l'ancien et solennel langage du droit traduit par *défense, tutelle—defensio, tutela. Defensio . . .* défense contre l'ennemi ou contre l'insolvable. Contre l'ennemi ? Mais Nous ne sommes l'ennemi de personne, et Nous ne croyons avoir d'autre ennemi que les ennemis de la vérité et du bien. Défense contre l'insolvable ? Mais Nous avons cru et croyons à la loyauté et à la persévérante bonne volonté de ceux qui se sont montrés prêts et désireux de traiter.

Sinon défense, tutelle ? Mais encore moins pourrions-Nous l'accepter : c'est l'Apôtre saint Paul qui dit que même le riche héritier *nihil differt a servo . . . quamdiu sub tutoribus est.*¹ Et soit défense, soit tutelle, comment pourrions-Nous imposer à d'autres de tels soucis et de telles responsabilités ?

Mais si on ne peut parler de garanties juridiques on peut bien parler de garanties morales.

Telle est, et magnifique dans son genre, la garantie (on peut bien l'appeler aussi garantie diplomatique) que vous représentez, chers Messieurs, que vous formez, et que votre éloquent interprète a si opportunément rappelée, si lumineusement mise en relief, dans toute la portée et toute la force de sa signification.

¹ Gal. iv. 2.

Il y en a une autre qui continue depuis le onze février à remplir les pays et le monde entier. C'est ce grand, incomparable (et peut être jusqu'ici jamais vérifié) plébiscite, non seulement d'Italie, mais de toutes les parties du monde. Il n'y a dans ces mots aucune exagération : Nous venons de recevoir lettres et dépêches non seulement de toutes les villes et villages d'Italie, non seulement de toutes les villes et de bien des villages de tous les pays d'Europe, mais aussi des deux Amériques, des Indes, de la Chine, du Japon, de l'Australie, de la Nouvelle Zélande, du nord, du centre et du sud de l'Afrique, de l'Alaska, du Mackenzie, de l'Hudson comme s'il s'agissait partout d'un événement local. Fait vraiment impressionnant, et qui Nous autorise à dire que non seulement le peuple, tout le peuple d'Italie, mais que les peuples du monde entier sont avec Nous ; un vrai plébiscite, non seulement national mais mondial. Voilà la garantie la plus imposante qu'on puisse penser et imaginer. Dans ce vaste et immense plébiscite Nous ne pouvons pas ne pas saisir et relever quelques voix qui Nous ont profondément ému. C'est d'abord la voix du petit nombre de survivants, dans vos différents pays, parmi les braves qui, pendant des années, en esprit de foi catholique, ont mis leur vie à la disposition et à la défense du Saint-Siège. Vous leur direz, à ces braves, que le Saint-Père a prié et appliqué des Messes pour tous leurs morts, qui sont aussi nos morts, inoubliables.

Une autre voix touchante est celle de ceux qui, surtout d'Italie, Nous ont fait dire : voilà que nous recommençons à faire nos Pâques. C'est toute une direction, toute une grande région qui se révèle : la région des consciences, la direction de la pacification religieuse ; c'est le point de vue le plus élevé, infiniment plus digne de considération, que la pacification civile et politique d'un pays, bien que celle-ci soit à elle seule un grand et inestimable trésor. Cette pensée Nous ramène encore une fois aux belles et chères montagnes de Notre jeunesse. Il faut s'élever pour gagner les plus magnifiques points de vue ; il faut gagner les faites, les sommets : de là-haut, on ne voit plus les jolies vallées, les petites pittoresques maisons, les petits clochers pensifs, mais la vision se fait infiniment plus large et bien souvent vraiment sublime.

Nous aussi, au point auquel Nous sommes arrivés, quand Nous pensons à la pacification de tant d'âmes, de tant de consciences, non seulement d'Italie, mais du monde entier, Nous ne pouvons pas ne pas sentir tout le devoir d'en remercier de grand cœur le bon Dieu et tous les hommes qui Nous ont donné le concours de leur bonne volonté en apportant leur contribution—et une contribution qui n'est certes pas indifférente ni de peu de prix—à cette grande œuvre de pacification. Il Nous semble aussi que Nous avons le droit de Nous en réjouir et d'inviter tout le monde à s'en réjouir avec Nous.

Il ne Nous reste, chers Messieurs, qu'à vous donner, comme jadis disait saint Pierre le premier Pape, ' ce que Nous avons, ' ¹ Notre bénédiction. Nous la donnons de tout cœur à vos familles, à vos pays, aux peuples et aux gouvernements que vous représentez, et à tout ce que chacun de vous porte dans sa pensée et dans son cœur.

¹ *Acta Ap.*, iii. 6.

APPROBATION OF A COLLECTION OF INDULGENCED PRAYERS AND WORKS

(February 22, 1929)

SACRA POENITENTIARIA APOSTOLICA

APPROBATUR COLLECTIO PRECUM PRIORUMQUE OPERUM, QUIBUS RR. PP.
INDULGENTIAS ADNEXUERUNT AB A. 1899 AD A. 1928

DECRETUM

Post editum a Sacra Congregatione Indulgentiarum sacrarumque Reliquiarum anno 1898 opus, cui titulus: 'Raccolta di orazioni e pie opere, per le quali sono state concesse dai Santi Pontefici le Sante Indulgenze,' valde excrevit Indulgentiarum concessionum numerus, quarum plurimae a christifidelibus ignorantur vel debito modo non cognoscuntur. Enimvero, Indulgentiarum collectiones fuerunt quidem, post publicationem recensiti operis, a privatis auctoribus confectae, imo nonnullae etiam a Sacra Congregatione S. Officii aut a Sacra Poenitentiaria documentis authenticis conformes declaratae; caedem tamen vel non amplius venales prostant, vel non omnes concessiones hucusque factas complectuntur, vel continent preces, pia opera, Indulgentiarumque concessionis, quae aliquas immutationes postea subierunt.

Ideo necessarium visum est preces et pia opera, Indulgentiis ab anno 1899 a S. Sede ditata, in unum colligere et in vulgus edere; quod quidem ipsamet Sacra Poenitentiaria Apostolica perficiendum curavit.

In Audientia vero infrascripto Cardinali Poenitentiario Maiori die 4 Ianuarii 1929 concessa, SS. D. N. Pius div. Prov. Pp. XI collectionem hanc, typis Vaticanis impressam, approbavit et confirmavit, et, abrogatis generalibus Indulgentiarum concessionibus post dictum annum factis et in eadem collectione non relatis, ipsam tantum uti authenticam haberi mandavit.

Datum Romae, e Sacra Poenitentiaria Apostolica, die 22 Februarii 1929.

L. CARD. LAURI, *Poenit. Maior.*

L. ✠ S.

IOANNES TEODORI, *S. P. Secretarius.*

DISCOURSE TO STAFF AND STUDENTS OF THE MILAN UNIVERSITY

(February 13, 1929)

ACTA PII PP. XI.

AD ANTECESSORES ET ALUMNOS MEDIOLANENSIS CATHOLICAE UNIVERSITATIS
A SS^{MO} CORDE IESU, HABITUS DIE XIII FEBRUARIJ.

Vogliamo anzitutto esprimere tutta la Nostra, non solo compiacenza, ma reale commozione che nell'animo Ci hanno prodotto tutte le belle cose, che fino a questo momento abbiamo veduto ed ascoltato. Belle le parole, belli e preziosi i doni, belli e fragranti i fiori, nella varietà dei loro colori così graziosamente eloquenti: bello e commovente questo magnifico palpito e questo magnifico profumo di vita, 'magnifica semplicità'—come avrebbe detto il grande Manzoni—questa semplicità che solo la mano di Dio sa mettere nelle cose più grandi come nelle cose più piccole,

dando alle più grandi la grazia della più umile ingenuità e mettendo nelle più piccole saggi e tratti della più indicibile bellezza. Belle sono state le parole a volta a volta pronunciate dal Magnifico Rettore, e dai rappresentanti dei professori e degli studenti. Belli e splendidi i vostri doni, che veramente Ci hanno riempito il cuore di gioia, col ponderoso numero di volumi che raccolgono il frutto dei vostri studii e delle vostre fatiche. Bello è stato anche quello che il vostro valente Economo ha detto—con manifesta ingiustizia però e con eccessiva modestia—esponendo delle cifre che egli ha chiamato aride. Non sono davvero aride le cifre, poichè, come ha detto una volta un poeta lombardo—sia pure di secondo o terz'ordine (che però ha spesso trovato delle felici espressioni)—il monde è tutto matematica e poesia. È vero infatti che la poesia della natura è una poesia fatta di numeri, perchè sono i numeri che danno un saggio delle grandezze del Creatore e quanto più larghi e quasi illeggibili diventano i numeri, tanto più splendida e palpitante è la poesia. Quelle cifre poi che sono state lette, si riferiscono a tanta bellezza di opere, a tanta generosità di sforzi, a tanto frutto di studi, che veramente la letizia, che con la loro poesia infondono nel cuore, è altissima e squisita. A tutte queste belle cose voi, professori e alunni, aggiungete il conforto, dolceissimo per il Padre, della vostra presenza: e per tutto questo dal Nostro cuore si esprime la riconoscenza e il ringraziamento con piena effusione. I pensieri, le proteste, i propositi, dei quali abbiamo inteso l'espressione così come essa usciva dal vostro cuore, Noi li accogliamo nel cuore Nostro e li affidiamo al Cuore stesso di Gesù, di quel divino Re di cui, per arcana disposizione della divina Provvidenza, Noi siamo il Vicario in terra.

Tutto ciò, dunque, ben può indicare con quali sentimenti rispondiamo alle vostre richieste di benedizioni: e le diamo con tutto il cuore, non soltanto ai presenti, ma anche a tutti quelli che voi rappresentate, benchè la rappresentanza sia così cospicua da raggiungere addirittura la metà dell'intero numero di coloro che appartengono all'Università. Con queste benedizioni Noi intendiamo riferirCi a tutti e singoli i pensieri e i desideri di ciascuno di voi, a tutte le vostre opere, intenti e buoni propositi.

Questa udienza Ci riesce poi particolarmente gradita in ragione del momento così particolarmente bello e significativo nel quale essa ha luogo. È il momento nel quale sempre più gravi e numerosi il Padre comune segna gli anni della sua progrediente vecchiaia al chiudersi del settimo ed all'aprirsi dell'ottavo anno dacchè Iddio, nell'aereo Suo consiglio, Lo chiamava nel suo luogo, in quel luogo che quando vaca 'vaca nella presenza del Figliul di Dio.' È il momento che segna il principio di quel 50° anno di sacerdozio, che con sì alta eloquenza ricorda al Nostro cuore tante grazie di Dio e tante miserie Nostre. Ed è pure il momento nel quale la divina Provvidenza Ci ha chiamato a compiere azioni e a dar corso ad avvenimenti che certissimamente—almeno per quanto è dato di prevedere umanamente, anzi non solo umanamente, ma anche soprannaturalmente—sono destinati a produrre (ne abbiamo la speranza, la fiducia certa, come fin da principio ne abbiamo avuto l'intenzione ed il desiderio) frutti preziosi per la gloria di Cristo Re, per l'onore della Santa Madre

Chiesa, per il bene delle anime, per il bene d'Italia e di tante care anime, a Noi tanto più care quanto più vicine ; per il bene del mondo intero, non fosse altro che per i riflessi così evidenti, e così fatti per conciliare a questi avvenimenti la simpatia di tutto il mondo, di tutte le anime buone, di tutti i cuori di alti sentimenti ed aspirazioni ; non fosse altro che per il grande contributo che essi arrecano alla pacificazione di tante coscienze non soltanto in Italia ma nel mondo intero, a quella pace adunque che Gesù benedetto forse direbbe pace sua, ' pacem meam ' : la pace di Cristo nel Regno di Cristo.

Abbiamo già accennato a questo argomento nel discorso tenuto due giorni fa innanzi ai parroci e ai predicatori della Quaresima nelle chiese di Roma, prevenendo alcune difficoltà che si possono facilmente antivedere. Lo abbiamo fatto in forma ed in misura che Ci sembravano rispondenti al bisogno di quelli che ordinariamente vanno a chiedere consiglio ai parroci ed ai predicatori. A professori, a giovani abituati alle alte indagini del pensiero come sono gli studenti di una Università, riservavamo illustrazione di altra importanza e precisamente quelle che convengono a chi ha la mente esercitata nelle materie filosofiche, giuridiche, politiche.

Il *Trattato* conchiuso tra la Santa Sede e l'Italia non ha bisogno di altre spiegazioni e giustificazioni esterne, perchè in realtà esso è a se medesimo spiegazione e giustificazione la più chiara e definitiva. Ma c'è pure una spiegazione ed una giustificazione esterna non meno chiara e definitiva, e questa è il *Concordato*. Il Concordato, anzi non solo spiega e giustifica sempre meglio il *Trattato*, ma questo gli si raccomanda come a condizione di essere e di vita. È il Concordato che Noi, appunto perchè esso doveva avere questa funzione, fin da principio abbiam voluto che fosse condizione ' sine qua non ' al *Trattato* : desiderio, questo, nel quale, occorre dirlo subito, siamo stati nobilmente, abbondantemente assecondati dall'altra parte. Il *Trattato* non avendo avuto altro fine che quello di regolare nei termini della più assoluta indispensabilità e sufficienza la condizione giuridica, essenziale della Santa Sede e del Romano Pontefice, di Quegli che per la divina responsabilità di cui è investito, qualunque nome egli abbia e in qualunque tempo egli viva, non può essere sottoposto a nessuna sudditanza, questo fine sarebbe stato raggiunto non appena si fossero avute le indispensabili condizioni di vera sovranità, che (almeno nelle presenti condizioni della storia) non è riconosciuta se non attraverso ad una certa misura di territorialità.

Ma come e che cosa avrebbe potuto essere di vitale un tale *Trattato*, in un paese, in uno Stato ridotto in quella condizione in cui avevano ridotto l'Italia tanti anni di manomissioni, di spoliazioni, di eversioni di ogni genere compiute da governi o nemici o amici dei nemici, sapendolo o non sapendolo ? Il problema evidentemente qui incominciava a complicarsi. E già questo si era veduto qualche tempo prima, allorchè si era fatto un tentativo di riordinamento della legislazione ecclesiastica, che necessariamente non si sarebbe potuto ridurre che ad una semplice misura unilaterale in materia, nella quale nessuno può legiferare senza che prima accordi e intelligenze siano prese con la competente autorità ecclesiastica. Le condizioni dunque della religione in Italia non si potevano regolare senza

un previo accordo dei due poteri, previo accordo a cui si opponeva la condizione della Chiesa in Italia. Dunque per far luogo al Trattato dovevano risanarsi le condizioni, mentre per risanare le condizioni stesse occorreva il Concordato. E allora? La soluzione non era facile, ma dobbiamo ringraziare il Signore di avercela fatta vedere e di aver potuto farla vedere anche agli altri. La soluzione era di far camminare le due cose di pari passo. E così, insieme al Trattato, si è studiato un Concordato propriamente detto e si è potuto rivedere e rimaneggiare e, fino ai limiti del possibile, riordinare e regolare tutta quella immensa farragine di leggi tutte direttamente o indirettamente contrarie ai diritti e alle prerogative della Chiesa, delle persone e delle cose della Chiesa: tutto un viluppo di cose, una massa veramente così vasta, così complicata, così difficile, da dare qualche volta addirittura le vertigini. E qualche volta siamo stati tentati di pensare, come lo diciamo con lieta confidenza a voi, si buoni figliuoli, che forse a risolvere la questione ci voleva proprio un Papa alpinista, un alpinista immune da vertigini ed abituato ad affrontare le ascensioni più ardue; come qualche volta abbiamo pensato che forse ci voleva pure un Papa bibliotecario, abituato ad andare in fondo alle ricerche storiche e documentarie, perchè di libri e documenti, è evidente, si è dovuto consultarne molti.

Dobbiamo dire che siamo stati anche dall'altra parte nobilmente assecondati. E forse ci voleva anche un uomo come quello che la Provvidenza Ci ha fatto incontrare; un uomo che non avesse le preoccupazioni della scuola liberale, per gli uomini della quale tutte quelle leggi, tutti quegli ordinamenti, o piuttosto disordinamenti, tutte quelle leggi, diciamo, e tutti quei regolamenti erano altrettanti fetici e, proprio come i fetici, tanto più intangibili e venerandi quanto più brutti e deformi. E con la grazia di Dio, con molta pazienza, con molto lavoro, con l'incontro di molti e nobili assecondamenti, siamo riusciti *tamquam per medium profundum eundo* a concludere un Concordato che, se non è il migliore di quanti se ne possono fare, è certo tra i migliori che si sono fin qua fatti; ed è con profonda compiacenza che crediamo di avere con esso ridato Dio all'Italia e l'Italia a Dio.

Voi che Ci ascoltate facilmente intendete quanto grande, grave, solenne, denso di formidabili responsabilità, fosse il problema della situazione politica ed internazionale della sovranità pontificia. Ma nel Concordato è qualche cosa non meno grande e non meno degna di tutti gli sforzi. Quando alla Chiesa si riconosce la personalità giuridica con i diritti che ne derivano; quando il Sacramento del Matrimonio prende il posto che gli compete nella legislazione e nella vita civile; quando alle famiglie religiose è riconosciuta la personalità giuridica; quando anche l'Università Cattolica del Sacro Cuore ha una altrettanto alta che provvida considerazione; quando all'insegnamento religioso si dà il dovuto posto ed onore; quando altresì all'Azione Cattolica è riconosciuto un posto legittimo; veramente è altrettanto facile che doveroso comprendere come si possa e si debba ringraziare di tutto cuore il Signore.

Tutto questo insieme di cose si potrà poi tanto meglio apprezzare, allorchè si potranno pubblicare i testi del Trattato e del Concordato; giova

però fin d'ora considerare che quando si fa un soliloquio si può dire quel che si vuole, ma quando si fa un dialogo bisogna pure ascoltare l'altra parte. Le favorevoli condizioni nelle quali si è svolto il Nostro dialogo non Ci lasciano ragione alcuna di dubitare che sarà pure assicurata altrettanto lealmente, generosamente, nobilmente, l'esecuzione di tutte le misure di comune accordo deliberate.

Ben volentieri abbiamo fatto a quest'uditorio tali paterne confidenze, anche perchè confidiamo che da questa eletta schiera esciranno giovani egregiamente preparati a dedicare a così nobili ed importanti argomenti almeno qualche parte della loro attività tutta rivolta al bene. Siamo anche lieti di ricordare una circostanza che è riuscita particolarmente cara al Nostro, e non dubitiamo, anche al vostro cuore, che cioè, proprio nel giorno in cui davamo il Nostro assenso alla stampa dei documenti di cui abbiamo parlato, davamo altresì il Nostro definitivo consenso e l'ultima approvazione alle nuove disposizioni liturgiche per le quali la festività del Sacro Cuore di Gesù ha avuto una maggiore solennità, anzi la più grande solennità che sia consentita dalla Sacra Liturgia, riuscendo anche ad ottenere con la nuova solennissima ufficiatura un insieme di preghiere, di testi, di omelie, che Ci sembra proprio fatto per diffondere sempre più largamente ed efficacemente la devozione al S. Cuore.

Non Ci resta infine che rinnovare l'espressione della Nostra paterna riconoscenza, per la consolazione che voi, figli diletteggianti, Ci avete dato in questa udienza così caramente solenne, ed invocare sopra di Voi in tutta la sua pienezza la Benedizione Divina, mentre impartiamo a tutti e singoli, a tutte le intenzioni, propositi e fatiche di ciascuno, a tutta l'opera in particolare che ciascuno di voi nei più diversi modi, ma con lo stesso nobilissimo intento, impiega per la gloria del Sacro Cuore, la Nostra paterna Apostolica Benedizione.

CAUSE OF BEATIFICATION AND CANONIZATION OF FRANCIS A. PICCIANO, O.F.M., INTRODUCED

(January 9, 1929)

SACRA CONGREGATIO RITUUM

PANORMITANA

BEATIFICATIONIS ET CANONIZATIONIS SERVI DEI FR. FRANCISCI A PICCIANO,
LAICI PROFESSI ORDINIS FRATRUM MINORUM.

SUPER DUBIO.

*An sit signanda Commissio Introductionis Causae in casu et ad effectum
de quo agitur?*

Inter fratres illustris familiae Minoriticae, innumerosque filios Sancti Patris legiferi Francisci Assisiensis, selectum emicat agmen sodalium qui, auditis et consideratis divini Magistri sententiis evangelicis: 'Si vis perfectus esse, vade, vende quae habes, et da pauperibus, et habebis thesaurum in caelo: et veni, sequere me. Si quis vult post me venire, abneget semetipsum, et tollat, crucem suam, et sequatur me,' eius fidelis discipuli

et imitatoris Francisci vestigia, regulam et vitae statum recte perfecteque sequuti, tanquam stellae luxerunt et lucent coram Deo et hominibus in medio Ecclesiae et proprii Ordinis religiosi. Huic glorioso agmini adnumerari potest pauper et humilis laicus professus Franciscus a Picciano qui, per decentiam sui habitus extrinseci et franciscani, humilitatem mentis et honestatem morem ostendit, bonumque praebuit exemplum tam in suo vestitu quam in reliquis suis actionibus: cuius causa beatificationis et canonizationis apud sacram rituum Congregationem die 18 Decembris proxime elapsi discussa est. Interim praemittere iuvat quaedam de eius vita, gestis et obitu. Picciano in oppido, in Samnio, e piis honestisque coniugibus agricolis Vespasiano Dangelosanto et Angela Cyparissa die 28 Februarii anno 1773 ortus est infans, eique in sancto baptismo imposita fuere nomina Donatus, Paulus, Marius et Antonius. In puerita et adolescentia docilis, laboriosus, honestus et castus sodalibus et amicis apparuit et exstitit, atque ob morum suavitatem et religionem *columba* meruit appellari. Incunte saeculo decimonono exortae sunt publicae calamitates et civiles perturbationes, ob quas Napoleo, Gallorum Caesar, totam fere Italiam occupavit, ibique, per gallicos tribunos, militum legiones conscripsit; famulus tamen Dei legitimo suo regi potius quam alieno servire ac militare voluit. Miles plura vitae incommoda sustinere debuit. In praelio captivus factus a Gallis, ab eorum manibus effugit; redux suos revisit et Panormi sub regii vexillis rursus et diu militavit. Commilitionibus opimum dedit specimen religionis, pietatis et patientiae. In sacello castrensi sacristae munere fungens, in deliciis habebat Missis aliisque sacris functionibus inservire. Tonsoris artem exercevit et modestum perceptumque lucrium pauperibus distribuit. Quidquid otii sibi superesset, potius quam ludis, loeis aliisque rebus inanibus, honestis piisque operibus incubuit. Baidam asperam et montuosam prope Panorum saepe ascendebat, ut in illo solitario loco et templo pacifice ac devote oraret et sacris adsisteret. Contiguum ibi nosocomium visitabat, caritatem suam in aegrotos largiter effundens. Eos enim paternis curis fovebat, lavando, tondendo, pectendo, haec et alia officia etiam infirma gerendo in persona et amore Christi. Unde illi debiles et infirmi eius praesentiam et providentiam munusculis permissis etiam auctam vehementer optabant, et acceptis beneficiis temporalibus et spiritualibus, grati animi sensibus congrue respondebant: siquidem pueris et adultis imperitis et catechismi rudibus et ignaris, nostrae sanctae religionis mysteria et praecepta, iuxta mentis capacitatem, tradebat. Haec omnia peculiarem virtutis famam pepererunt Donato militi qui indubia perfectioris vitae status amplectendi indicia dedit sacerdoti suo confessario, cuius opera et zelo obtinere potuit, coadiuvante regionis praeside, Campi liberi principe, a Franciseo regis filio dimissionis gratiam a militia castrensi, ut sua vota adimpleret per ingressum in religionem franciscanam. Quo facilius id obtineret, in eodem Baidensi nosocomio, quod opere et animo iamdiu lustraverat, chirurgicis ministeriis ad aegrotantium bonum se instrui et perfici voluit. Hisce subsidiis instructus, die septima Maii anno 1809, sex et triginta annos agens, in domo religiosa franciscana inter laicos sodales exceptus fuit, et post bimestrem die 26 Iulii habitum illius religionis induit, mutato nomine

Donato cum altero Francisco. Integro autem anno expleto, propositum suum solemniter editisque votis religiosis confirmavit. In eodem Baidensi nosocomio regio Fratrum Minorum curae concredita iuvandis et fovendis aegrotis a Superioribus addictus, inter assidua ministeria, virtutes status religiosi et muneris proprias, aliasque omnes exercere non destitit per annos quadragintaduos. Iste vir dilectus Deo et hominibus, pietate erat admirabili, in honorem augustissimi mysterii S^mae Trinitatis saepissime trisagium iterabat, Passionem et Mortem divini Redemptoris tota mente ac animo contrito recogitabat, et erga S^mum Eucharistiae sacramentum ardenti amore flagrabat. Insuper Deiparam Virginem Mariam sub titulis septem dolorum, Montis Carmeli et S^mi Rosarii, eiusque sacras imagines speciali cultu, angelica salutatione et fervida rosarii recitatione honorabat. Quas pias exercitationes in aulis nosocomii et in lectis aegrotorum peragendas curabat, ipso praeunte et orante; exhortante quoque infirmos ad invocandos cum precibus iaculatoriis Iesum et Mariam, Angelos custodes, seraphicum Franciscum aliosque sanctos tutelares, et ad lucrandas indulgentias de thesauro Ecclesiae concessas etiam in suffragium defunctorum. Clementissimus Deus sanctitatem famuli sui miris signis donisque supernaturalibus confirmasse fertur a testibus fide dignis in sessionibus Processualibus. Ex his, oleum in sacco receptum, papides in panem conversi, lues ex armentis amota, caementarius a lapsu incolumis, caecis visus restitutus, frumentum et vinum auctum et multiplicatum et spiritus propheticus de rebus futuris reapse secutis. Tandem Franciscus senectute provecta, vitae austeritatis et operoso labore debilitatus, et fractus corpore, sed spiritu fortis et virilis, gravi morbo correptus et ecclesiae sacramentis roboratus, consertis ad pectus manibus Crucifixi imagine insertis, mortem imminentem exspectans. una cum sodalibus orationem dominicalem recitans in honorem Iesu morientis qui est salus sperantium et spes morientium, prolatis ab ipso supremis verbis: 'Iesu miserere mei' animam exhalavit hora meridiana diei 15 Maii anno 1851. Fama vero sanctitatis vitae, virtutum et miraculorum in genere quam Dei famulus in vita sibi comparaverat, post obitum novis informationibus novisque miris assertisque sanationibus aucta, et magis clara ac diffusa, archiepiscopalem Curiam Panormitanam ad Processum Informativum, Ordinaria auctoritate, super ea conficiendum permovit. Huiusmodi Processus ab anno 1863 inchoatus, et post instauratam religiosam provinciam Franciscanam reassumptus anno 1909, tandem absolutus et clausus annis 1915-1916, dein ad sacram Rituum Congregationem delatus riteque apertus est die 17 Martii 1917. Itaque, servato iuris ordine, quum omnia in promptu sint et, per decretum diei 24 Iulii 1923, nihil obstat quominus ad ulteriora procedi possit, instante R^mo P. Antonio M. Santarelli, Ordinis Fratrum Minorum et huius causae postulatore, attentisque litteris postulatoriis E^morum PP. Cardinalium Archiepiscoporum Panormitanae et Catanensis dioecesium, et R^morum Episcoporum aprutinae et regionis siculae Ecclesiarum, necnon cleri saecularis et regularis, sanctimonialium aliorumque virorum ecclesiastica vel civili dignitate praestantium, enixe rogante R^mo P. Ministro generali totius Ordinis Fratrum Minorum, E^mus ac R^mus D^ñus Ianuarius Granito

Pignatelli di Belmonte, Episcopus Albanensis et eiusdem Causae Relator, in Ordinariis sacrorum rituum congregationis comitiis, subsignata die ad Vaticanas aedes coadunatis, sequens dubium discutiendum proposuit : *An sit signanda Commissio introductionis Causae in casu et ad effectum de quo agitur ?* Et Eñi ac Rñi Patres sacris tuendis ritibus praepositi, post relationem ipsius Eñi Ponentis, audito voce et scripto R. P. D. Carolo Salotti fidei promotore generali, omnibus accurate discussis ac perpensis rescribere censuerunt : *Affirmative seu signandam esse Commissionem Introductionis Causae, si Sanctissimo placuerit.* Die 18 Decembris 1928.

Quibus omnibus Sanctissimo Domino nostro Pio Papae XI per infra-scriptum Cardinalem sacrae Rituum Congregationi Pro Praefectum relatis, Sanctitas Sua rescriptum eiusdem Sacrae Congregationis ratum habens, manu propria signare dignata est Commissionem Introductionis Causae beatificationis et canonizationis Servi Dei Fr. Francisci a Picciano, laici professi Ordinis Fratrum Minorum. Die 9 Ianuarii 1929.

C. CARD. LAURENTI, *S. R. C. Pro Praefectus.*

L. ✠ S.

ANGELUS MARIANI, *Secretarius.*

BENEDICTINE HOUSE AT OOSTERHOUT RAISED TO AN ABBEY UNDER THE TITLE OF ST. PAUL

(July 11, 1928)

ACTA PII PP. XI

DOMUS O. S. BENEDICTI CONGREGATIONIS SOLESMENSIS APUD OOSTERHOLTUM, INTRA FINES DIOECESIS BREDANAE, IN ABBATIAM SUB TITULO S. PAULI ERIGITUR.

PIUS PP. XI

Ad futuram rei memoriam.—Dilectus filius Ioannes de Puniel, Abbas ad Sancti Pauli de Wiciaco, in dioecesi Atrebatensi in Gallia, Congregationis Gallicae Ordinis Sancti Benedicti, in praesens degens in civitate de Oosterholto, intra fines dioecesis Bredanae in Hollandia, refert ad Nos praedictum monasterium in Gallia, in dioecesi Atrebatensi, ab abbazia Sancti Petri de Solesmis anno rep. sal. MDCCCLXXXIX fundatum sub titulo ad Sancti Pauli de Wiciaco (*Wisques*) in prioratum conventualem die 1 mensis Martii anno MDCCCLXXXV erectum fuisse. Civiles autem ob leges anno MDCCCCI latas, ad Galliam relinquendam monachos esse coactos, qui se primum in Belgicam regionem receperunt, dein in Hollandiam, ubi penes Oosterholtum (*Oosterhout*) monasticas aedes condiderunt. Haud multos post annos auctum monachorum numerum feliciter permisisse prioratus erectionem ad abbatialem dignitatem, a Praedecessore Nostro Pio X rec. mem. factam per rescriptum Apostolicum die XXVIII mensis Septembris anno MDCCCX obsignatum. Sed novus abbatialis hic titulus de iure pertinebat ad domum antea fundatam in Galliis, idest ad prioratum S. Pauli de Wiciaco, quae tantum de facto ac de necessitate ex circumstantiis specialibus orta, tunc temporis in Hollandia constituta reperiebatur,

additque idem Ioannes de Puniet, semetipsum die XII mensis Novembris eiusdem anni MDCCCX, iam antea conventualem Priorem, canonicè electum fuisse in primum Abbatem. Attamen edocet Nos ipse Abbas, volventibus annis, nonnullos monachos a memorato Abbate suo missos, in Galliam rediisse et patriam domum Wiciaensem anno MDCCCXX repetiisse, ibique regularem vitam de integro instaurasse. Ast huic instaurationi sequutam esse divisionem conventus et constitutionem duarum domorum religiosarum sub uno eodemque Ordinario et ad unam eandemque abbatiam pertinentium; inde plures difficultates et quaestiones ortas, quarum solutio ac definitiva compositio perardua primum visa est, sed ad quam nunc praestat, interposita Nostra auctoritate devenire, potissimum cum, utraque domus, tam prior Gallica, quam recens Hollandica, uberrima ceperint, Deo favente, incrementa. Adsunt enim hodie in domo Wiciaensi plus quam viginti monachi chorales, ex quibus quindecim sollemniter professi; sexaginta vero quinque monachos habet altera domus Oosterholtensis, alios chorales, alios conversos. In utraque domo optimam spem praebet tyronum novitiatus; et quod ad rem familiarem utraque, propria dotatione instructa, secura ac libera vivit. His perspectis utriusque domus condicionibus, cum facile argui possit easdem mutuo inter se auxilio non amplius indigere et propriam plenamque independentiam consequi exinde posse, cum superenunciatus Abbas Ioannes de Puniet enixas Nobis humiliter adhibuerit preces ut religiosam domum apud Oosterholtum sitam in abbatiam erigere dignemur, Nos votis his concedendum ultro libenterque existimavimus. Audito igitur dilecto filio Nostro Camillo S. R. E. Diacono Cardinali Laurenti, Praefecto Congregationis Negotiis religiosorum sodalium praepositae, omnibusque rei momentis attento seduloque studio perpensis, inspecto potissimum felicissimo statu domus apud Oosterholtum positae, quae qualitatibus est omnibus instructa a iure et a constitutionibus Congregationis Gallicae requisitis ut abbatiati dignitate valeat augeri, motu proprio atque ex certa scientia et matura deliberatione Nostris, deque apostolicae Nostrae potestatis plenitudine, praesentium tenore, memoratam domum apud Oosterholtum in Hollandia, Bredanae intra dioecesis fines positam, in Abbatiam erigimus titulo Sancti Pauli de Oosterholto, ita ut pertineat ad Congregationem Gallicam seu S. Petri de Solesmis O. S. Benedicti, cuius et membrum sit et habeatur ad normam sacrorum canonum et constitutionum eiusdem Gallicae Congregationis.

Haec volumus, mandamus, edicimus, decernentes praesentes Litteras firmas, validas atque efficaces iugiter exstare ac permanere, suosque plenos atque integros effectus sortiri atque obtinere; illisque ad quos spectant sive spectare poterunt nunc et in posterum amplissime suffragari; sicque rite iudicandum esse ac definiendum, irritumque ex nunc et inane fieri, si quidquam secus super his, a quovis, auctoritate qualibet, scienter sive ignoranter attentari contigerit. Non obstantibus contrariis quibuscumque.

Datum Romae apud Sanctum Petrum, sub anulo Piscatoris, die XI mensis Iulii anno MDCCCXXVIII, Pontificatus Nostri septimo.

P. CARD. GASPARRI, *a Secretis Status.*

BEATIFICATION AND CANONIZATION OF VEN. JOHN BOSCO

(April 14, 1929)

SACRA CONGREGATIO RITUUM

TAURINEN.

BEATIFICATIONIS ET CANONIZATIONIS VEN. SERVI DEI IOANNIS BOSCO,
SACERDOTIS, FUNDATORIS PIAE SOCIETATIS SALESIANAE ET INSTITUTI
FILIARUM B. MARIAE VIRG. AUXILIATRICIS.

SUPER DUBIO

An et de quibus miraculis constet in casu et ad effectum de quo agitur ?

Quam large et copiose Deus omnipotens benedictiones suas effuderit super famulum suum Ioannem Bosco ac super Piam Societatem ab eodem institutam in populorum emolumentum et praesidium, perspicue enite- scit ex naturae et gratiae donis illi uberrime elargitis, e rebus ab ipso praec- lare gestis, ex Piae Societatis progressibus novisque domibus in pluribus regionibus, etiam in dissitis orbis partibus fundatis et firmiter communi- tis, nullis ferme suffragantibus opportunis auxiliis. Namque humili loco natus Dei Famulus ab ineunte aetate multis se exornatum egregiis dotibus praebuit, eaque aggressus est perfectique opera, apprime in adolescentibus instituendis, quae absque facultatum copia et auctoritatis imperio susti- neri nequivissent. Ipse autem in obstaculis superandis, in contrarietatibus vincendis, in adversariorum animis demulcendis strenue pugnavit, seque magnum virum exhibuit, una animarum luerandarum cupidine motus ac fretus.

Ita exordientem Piam Societatem probe instruere satagit, eandem augere et propagare feliciter contendit, nedum in plures Europae partes, verum et in longinquas Americae regiones transvexit. Nunc vero sodales eius ulterius progressi ad extremi etiam Orientis plagas missionali munere cum maximo animarum luero apostolica constantia et laude late funguntur.

Liberalitate et caritate perlibenter utebatur, etiam in rebus angustiis, Ven. Dei Famulus, et nullum unquam egenum dimittebat inauditum. Quandoque etiam cordium areana rogatus pandebat, futura praecinebat, et pacem anxiiis animis restituere adamabat. Corporis quoque morbos efficaciter curabat, eunctisque benefacere in deliciis iugiter habuit. Hoc sanctissimo desiderio ductus sacrarum virginum sodalitatem condidit, quas Filiae Mariae Auxiliatricis nuncupavit; quarum etiam Institutum longe diffusum praeceleros edit in Ecclesia salutis fructus.

Dilectus Deo et hominibus occubuit, quin benefacendi voluntatem amitteret, duleissimamque beneficentiae suae memoriam in quovis civium ordine relinquens. Statim post eius funus circumferri coeperunt prodigia, praesertim sanationum a morbis, e quibus bina facta selegerunt studi- sissimi causae Actores et, conditis super iisdem Apostolicis tabulis, sacro- rum Rituum Congregationi proposuere, ut de assertorum prodigiorum veritate proferret iudicium. Prima sanatio est Sororis Provinciae Negro,

quae ulcere rotundo in stomacho terebatur acribusque doloribus cruciatur. Comperta morbi indole ac malitia, qui vix curationem post diuturnum tempus suscipere poterat, aegra divinum auxilium experiri cogitavit, atque Ven. Ioannis Bosco ope implorata eiusque reliquiis summa cum fiducia sumptis, illico se morbo liberam perfecteque sanatam sensit. Eius valetudo prodigiosa ab omnibus declarata est, atque in primis ab artis salutaris cultoribus.

Altera sanatio contigit in Teresia Callegari, pluribus afflicta morbis internis, qui rebelles omnigenis curationibus eam ad marasmm adduxerant, ac prope decessura a medentibus aestimabatur. Neque errabant egregii viri, namque gravissimus morbus quo ipsa laborabat vere organicus erat, pluribus anatomicis constabat laesionibus, prout evidenter ostenderunt tres periti viri, iuramento obstricti a sacra Rituum Congregatione adsciti. Implorata itaque Ven. Ioannis Bosco interventione, non ab una, sed a cunctis morborum affectionibus sanata est, uno temporis momento, Teresia Callegari, quae prodigium asseruit et conclamavit. Apostolicis autem adornatis inquisitionibus super duabus sanationibus, iisque sedulo discussis legitimisque declaratis, die 24 Ianuarii anno 1928 habita est Congregatio Antepreparatoria in Aedibus Reverendissimi Cardinalis cl. me. Antonii Vico, Causae Relatoris; dicque 11 mensis Decembris eiusdem anni coacta fuit Congregatio Praeparatoria in Palatio Vaticano. Die vero 5 vertentis mensis Martii universus disceptantium coetus congregatus est coram Sanctissimo Domino nostro Pio Papa XI, et proposito dubio a Reverendissimo Card. Alexandro Verde, causae Relatore, *an et de quibus miraculis constet in casu et ad effectum, de quo agitur*, quotquot intervenerant tum Reverendissimi Cardinales tum Patres Consultores omnes ex ordine responderunt; Beatissimus vero Pater suum proferre iudicium distulit, animi tamen sui laetitiam haud obscure pandidit. Interim precibus splendidiorem divini luminis claritatem in re tam gravi esse impetrandam, omnes est cohortatus.

Quum autem suam decretoriam edere sententiam statuisset, hodiernam auspiciatissimam diem, qua festum agitur sancti Ioseph, totius Ecclesiae universalis Patroni, quem peculiari cultu Ven. Ioannes Bosco maxime prosequeretur, designavit, et divina Hostia ferventer oblata, accitisque Reverendissimis Cardinalibus Camillo Laurenti, sacrorum Rituum Congregationi Praefecto, et Alexandro Verde, causae Ponente, una cum R. P. D. Carolo Salotti, S. Fidei Promotore generali, meque infrascripto a secretis, iisque praesentibus, nobiliorem ingressus est aulam, solioque Pontificio sedit, atque solemniter decrevit: *Constare de instantanea perfectaue sanatione sororis Provinciae Negro ab ulcere rotundo stomachi: itemque de instantanea perfectaue sanatione Teresiae Callegari a poli-artrite acuta post-infectica, aliisque laesionibus, quae aegrotam ad statum marasmi adduxerant.* Atque hoc decretum evulgari et in acta sacrorum Rituum Congregationis referri iussit, quarto decimo Calendas Aprilis anno millesimo nongentesimo vicesimo nono.

C. CARD. LAURENTI, S. R. C. Praefectus.

ANGELUS MARIANI, Secretarius.

L. ✠ S.

BEATIFICATION AND CANONIZATION OF VEN. TERESA MARGARITA REDI

(March 5, 1929)

SACRA CONGREGATIO RITUUM

FLORENTINA

BEATIFICATIONIS ET CANONIZATIONIS VEN. SERVÆ DEI TERESIAE MARGARITAE REDI A SACRO CORDE IESU MONIALIS PROFESSAE ORDINIS CARMELITARUM EXCALCEATORUM IN MONASTERIO FLORENTINO.

SUPER DUBIO

An et de quibus miraculis constet in casu et ad effectum de quo agitur ?

Arretii in Etruria nascebatur Dei Famula die decima sexta Iulii an. 1737 ex nobilibus piisque parentibus, qui sedulam adhibuerunt curam, ut in catholice religionis rudimentis enutrita filiola et pietatis studio succensa a prima ætate virtutum christianarum germina exhiberet. Vix pueritiam egressa, maioris addiscendæ perfectionis desiderio ducta Florentiam petiit, ac monasterium est ingressa a S. Apollonia nuncupatum, ibique tanto fervoris ardore flammescere coepit, ut vel moniales universas in sui admirationem raperet. Decimum septimum annum agens paternam domum repetiit parentum optatis satisfactura, indolem dulcissimam et angelicos mores verbis et actionibus præbens, omniumque corda sibi devinciens, quippe quæ habebatur tamquam flos in domestico viridario positus odorem suavissimum iugiter spirans. Sed sanctum, quod iam conceperat, desiderium se totam cælesti Sponso devovendi, perficere constituit matricæ suæ rem candide aperuit, eaque amuente, quavis abrupta mora, in Florentino coenobio a Sancta Teresia inter carmelitides alumnas cooptari obtinuit, lætantique animo asperas regulas amplectens, cunctis vitæ commodis et illecebris perpetuum remisit nuncium, ac post tyrocinium nitide exactum religiosa nuncupavit vota. Brevi coenobiticæ vitæ evasit exemplar, atque in perfectionis semita currebat alacriter, dum veluti lilium procella percussum occubuit, nondum expleto vicesimo tertio ætatis anno.—Ven. Servæ Dei immaturam mortem complures, qui eximium animi candorem egregiasque virtutes in ea admirati fuerant amare luxerunt, eiusdem sanctimoniam collaudantes et ad cælestem patriam gloriosum transitum prædicantes. Statim pium exitum est eius Beatificationis desiderium, ipseque Florentinus Antistes iudicialis condidit inquisitiones de eiusdem vitæ, virtutum et miraculorum fama. Quibus rite discussis feliciterque absolutis aliis minoris momenti quaestionibus, de virtutibus quaesitum est, easque in gradu heroico a Ven. Famula Dei fuisse exeultas definitum fuit a Summo Pontifice Gregorio XVI per decretum decimo octavo Kalendas Maii, anno 1839 solemniter latum. Silentium sexaginta annorum sequutum est, antequam de miraculis Ven. Servæ Dei interventione impetratis quaestio de more institueretur. Conditis itaque tum Pisis tum Senis Apostolicis tabulis, iisque validis cognitis ac declaratis, die 13 mensis Decembris anno 1910 coactus est coctus Antepreparatorius in aedibus bo. me. Card. Gotti,

qui Ponentis munere hae in Causa fungebatur. Qui conventus denuo est habitus die 13 Decembris anno 1927 penes Revm̄um el. me. Card. Vico, qui Gotti suffectus fuerat, super altero asserto miraculo, quod causae Actores illi sufficiens postulaverant, de quo in Florentino processu Apostolico collectae fuerant probationes. Hoc autem incunte anno, die 8 Ianuarii celebrata est in Vaticano Palatio Congregatio Praeparatoria super duobus miraculis, quorum primum contigit Senis, qua in civitate Soro Maria Ducci e Congregatione Scholarum Piarum tabescebat in infirmitate sua pulmonali, quin a salutaris artis cultoribus levamen ullum acciperet. Imo morbus in dies progrediebatur, et quavis praecisa valetudinis spe, ad vitae exitum aegrotam adduxerat. Quae humana quum omnia remedia frustra experta esset, ad caeleste auxilium se convertit, opemque sibi propitiare studuit Ven. Teresiae Margaritae Redi, institutis novendialibus precibus et adhibitis eiusdem reliquiis. Ita ab infirmitate se liberam sensit, uno temporis momento, mirantibus omnibus qui rem bene noverant.

Aliud prodigium feliciter experta est puella Henrica Giorgi, quae pottiano, ut vocant, morbo affecta, eo dire exeruciabatur, quotidie tenacius torquebatur, nullaque spe saltem se melius habendi recreari poterat. Quum in conditione adeo miserrima valetudinis recuperandae versaretur, Ven. Aneillam Dei Teresiam Margaritam precibus exorat, ut patrocinium suum efficax in re tam gravi ostendat. Annuit Christi Famula, puellamque e faucibus mortis eripuit et pristinae sanitati repente restituit, cunctis obstupescentibus. De hisce itaque sanationibus ad iuris rigorem disceptatum est, ac novissime, videlicet die 16 superioris mensis Februarii, universus disceptatorum coetus coactus est coram Sanctissimo Domino nostro Pio Papa XI, atque unanimi suffragatione de duobus assertis miraculis omnes constare censuerunt. Suam tamen sententiam decretoriam proferre distulit Summus Pontifex, sibi que tempus reservavit, ut precibus uberiolem divini luminis claritatem obtineret.

Hodierna vero die Dominica III in Quadragesima mentem suam pandere statuit, sacroque devotissime litato, ad se accersiri voluit Reverendissimum Card. Camillum Laurenti, Sacrorum Rituum Congregationi Pro Praefectum, una cum R. P. D. Carolo Salotti, S. Fidei Promotore generali, meque infrascripto secretario, eiusque praesentibus, Pontificio solio adsidens, solemniter edixit: *Constare de instantanea perfecta sanatione Sororis Mariae Ducci, e Congregatione Scholarum Piarum, ab acuta tuberculari pulmonum affectione, nulla relicta cicatrice; itemque de instantanea perfecta sanatione puellae Henricae Giorgi a morbo Pottiano.* Atque hoc Decretum evulgari et in actis Sacrorum Rituum Congregationis referri mandavit, quinto nonas Martii anno millesimo nongentesimo vicesimo nono.

C. CARD. LAURENTI, S. R. C. Pro Praefectus.

L. ✠ S.

A. MARIANI, Secretarius.

REVIEWS AND NOTES

DANIEL O'CONNELL, AND THE STORY OF CATHOLIC EMANCIPATION.
By Michael MacDonagh. Dublin : The Talbot Press. 20s.

IN 1903 Mr. MacDonagh published a *Life of O'Connell*. 'Since then,' he writes, 'a mass of private correspondence has come to light, by which we are introduced to O'Connell's domestic life, are brought behind the scenes of his political movements, and are able to read the riddle of his character, which was so incomprehensible to his enemy contemporaries. For the first time the story of his youth and early manhood, in its relation to his subsequent career, is told in this biography with the help of his diary and letters. The political and social history of the first quarter of the nineteenth century in Ireland, of which hitherto little had been known, is treated from the freshest material.' It is evident from the foregoing that the present work is, in many respects, a new one, and its appearance in the Centenary Year of Emancipation is a gracious and permanent tribute to the memory of the Great Liberator. O'Connell was born in 1775. His first public appearance and first political speech were made in the Royal Exchange, Dublin, on January 13, 1800. O'Connell entered public life, therefore, enriched with the impressions of one of the most momentous epochs in the world's history. As a young student in France he had seen the beginning of the Revolution; and, in his own country, he was face to face with conditions, *mutatis mutandis*, not dissimilar. This fixed, once for all, his unyielding opposition to revolutionary methods, and his life-long reliance on Constitutional means of redress. His success as a Constitutional leader was in great measure due to his marvellous gift of popular oratory, to his knowledge of his people's character, and to his legal powers which enabled him to defeat the tactics of the Government placemen. In 1889 in the *Nineteenth Century*, Mr. Gladstone writes: 'Almost from the opening of my Parliamentary life I have felt that he (O'Connell) was the greatest popular leader whom the world had ever seen.' Anyone reading Mr. MacDonagh's telling descriptions of the great historic events in O'Connell's career cannot fail to endorse this view. Nothing could be more unfair than to judge O'Connell's life-long services to the political and religious interests of his country in the light of his declining years. The greatness of his positive work for Ireland is far out of the reach of short-sighted detraction. He is entitled to the respect of every patriotic Irishman. In a peculiar sense, however, O'Connell's memory is dear, not alone to Irish Catholics, but to Catholics the world over. His championship of the rights to religious freedom stirred the hearts and minds of men, and gave a universality to his fame which political propaganda of itself could never have won. Anyone who reads this *Life* will marvel at the enormous amount of work that O'Connell had to cope with. But for those who may

be tempted to think that O'Connell's religion consisted in public demonstrations, it will be enlightening to note this detail. Among his papers were found the following 'rules of life':—

1°. To avoid any wilful occasions of temptation.

2°. To appeal to God, and to invoke the Blessed Virgin.

3°. To recite the Acts of Faith, Hope, and Charity every day.

4°. To repeat, as often as may be, a shorter form.

5°. To recite daily at least, and as often as may be, a fervent Act of Contrition.

6°. To begin every day with an unlimited offering of myself to my crucified Redeemer, and to conjure Him, by all His infinite merits and divine charity, to take me under His direction and control in all things.

7°. To meditate for at least half-an-hour every day—if possible—longer, if God pleases.

8°. 'We fly to thy patronage,' and St. Bernard's prayer to the Virgin as often as may be conveniently—daily.

9°. To pray daily to God and the Saints for a happy death.

10°. To avoid carefully small faults and venial sins—even the smallest.

11°. To aim at pleasing God in all my daily actions, and to be influenced by the love of God in them all rather than by hope or fear.

Here in this, the most profoundly self-revealing document in Mr. MacDonagh's book, we have the key to the character, life, and works of Daniel O'Connell.

Owing to the rich form in which it has been produced, Mr. MacDonagh's work has, of necessity, to be highly priced. We trust that in course of time a cheaper edition will bring his fine tribute to O'Connell within the reach of all.

P. M.

JOHANNES SINNICHI: Der Kampf der Löwener Universität gegen den Laxismus. P. Franziskus Deininger, O.S.B., D.D. 8vo. 388 pp. Düsseldorf: Schwann, 1928.

THE University of Louvain has produced theologians of mark during its many centuries of existence. Some stand out clearly as in every sense sound, a few have erred very notably, and been condemned by Rome for part or the whole of their teaching, while others yet belong strictly to neither class, but having made a false step in one or two points are often summarily dismissed as beneath contempt. To this class John Sinnich belongs, in that he is ranked in our text-books as Father of Rigorism, and that is all one hears about him. Yet, this son of Cork was a doctor of distinction, twice Rector *Magnificus* of Louvain, and the most strenuous opponent of laxism among the many champions of sound morals in that University. In his works against Caramuel and Tamburini he has the further merit of being fully equipped for writing on what at that time was 'modern' lines, devoting many more pages to discussing the Fathers than to scholastic *minutiae*, which could be but of little effect. So the present monograph on Sinnich, his *milieu* and his

theological system is welcome in more ways than one, the more so as the author shows a full grip of his subject. He does not try to conceal what may be called the negative element in Sinnich's work, but lets us see as well positive values therein that merit to be stressed.

After a general sketch of moral controversies to Sinnich's time (lived 1603 to 1666) and a short biography, Father Deininger discusses first Sinnich's attitude on the question of *ignorance* as a factor lessening or eliminating guilt in an action materially sinful. This is an excellent preliminary to the study of Sinnich's attitude towards probable opinions, for it is only when one is in ignorance of the law or of its applicability that there is room for 'opining' and weighing opinions.

Sinnich lays it down that ignorance (at least of the natural law) never excuses from sin. Here he tries to show that St. Augustine held this view; but Father Deininger is able to demonstrate that St. Augustine's words are pressed too far, and that the great Doctor's realistic view of the results of original sin were altogether made too much capital out of at Louvain. It was in the irony of things that precisely at Louvain Juan Caramuel took his Doctor's degrees, and there he published his *Theologia moralis*. Needless to say, it was full of lax opinions, and favoured the side of liberty versus law at every turn. The bulk of Louvain opinion was against him; Sinnich took up the pen to defend the fair name of his *Alma Mater*. Dr. Deininger holds that despite Sinnich's Jansenistic tendencies, it would be unfair to rank him as a heretic.

The two ruling principles of Sinnich's mentality were respect for God, and respect for human nature. Caramuel's triflings with the natural law could not but be abominable to Sinnich, who held this law to be part and parcel of human nature. With his respect for law, he naturally defended it against the new 'champions of liberty,' when they caught at the least pretext for exempting themselves from the law—either the natural law or revealed laws. Sinnich went yet further, and tilted nearly always against all probable opinions. A very important point to be here noted is that Sinnich is *not* the author of that famous thesis condemned by Pope Alexander VIII: 'It is unlawful to follow even the most probable of probable opinions.' Sinnich has a passage in his great polemic work *Saul Exrex*, i. 3, 7, somewhat analogous, yet with restrictions that in fairness demand consideration (cf. M. Steyaert, *Opuscula*, i. 302).

It remains that there is a steadily-maintained strictness in all Sinnich's moralizing on prayer, Sunday observance, oaths, use of matrimony, use of food, mental restriction and many other topics. These are all graphically discussed in the book before us, and to very good purpose, for our author gives us not only the laxist views, and the opposing strict views of Sinnich, but also points out the golden mean followed by Holy Church in these questions. It all makes very useful reading, while the hundred pages of notes and references brings out the thoroughness of the work. One only regrets that the work was written in German and not in Latin.

CATALOGUE OF NOVELS AND TALES BY CATHOLIC WRITERS. Edited by Stephen J. Brown, S.J. Third edition, Revised. Dublin: 18 Hawkins Street. Price 1s.

IT is not sufficient to denounce Evil Literature, something must be supplied to take its place. Here, in one department, Father Stephen Brown does so. In an able Introduction he discusses the relations between morality and literature and, wisely enough, remarks that the explicitly didactic and the moral are not necessarily conterminous. A sermon, excellent in its place, is not the sole form of literature left to the Catholic reader. He has God's plenty outside of that. The following extract from the 'Foreword' sufficiently explains the reason for placing this work on the market: 'This *List of Novels by Catholic Writers* was compiled in the first instance for the lending department of the Central Catholic Library. It was decided to have it printed for the convenience of borrowers. But the experience of the last four or five years has convinced those working in connexion with the Library that there is a wide-spread need—and also a demand—for some such list. Letters have reached us from various parts of Ireland and from England, in which those in charge of libraries of all kinds—parochial, sodality, school, public—ask us for lists of fiction suitable for such libraries. Their needs have been in great part met by the excellent lists issued by the Catholic Truth Society of Ireland. Nevertheless, apart from the necessity of the present Catalogue for the Central Catholic Library, it may hope to be of considerable usefulness to librarians, parents, heads of religious houses, teachers, and others interested in books. It is in the first place a list of novels by Catholic writers exclusively. The reasons why we consider that such a list ought to be of service may be gathered from what is said in the Introduction. In the second place, it gives not merely the books that happen at the moment to be in print, as is the case with all trade catalogues, but all novels of any value that have appeared for many years back. An idea is thus given of the literary output by Catholic novelists, and books are recorded which at any moment may be reprinted, and which, in any event, may often be had second-hand.'

P. M.

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